

# भारत का शाजिपत्र

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सं. 31]

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No. 31]

NEW DELHI, SATURDAY, AUGUST 3, 1996/SHRAVANA 12, 1918

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में  
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a  
separate compilation

भाग II—संख्या 3—उप-संख्या (ii)  
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक अधिसूचनाएं  
Statutory Orders and Notifications Issued by the Ministries of the Government of India  
(other than the Ministry of Defence)

विधि, और न्याय कम्पनी कार्य मंत्रालय

(विधि कार्य विभाग)

(न्यायिक अनुभाग)

सूचना

नई दिल्ली, 9 जुलाई, 1996

का. आ. 2267:—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि सुश्री संध्या सक्सेना, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे कड़कड़मा कोटि, शाहवरा, राष्ट्रीय राजधानी दिल्ली में व्यवसाय करने के लिए नोटरी के रूप नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[नं. 5 (144)/96-न्यायिक]

पी. सी. कार्गन, सक्षम प्राधिकारी

MINISTRY OF LAW, JUSTICE & COMPANY AFFAIRS

(Department of Legal Affairs)

(Judicial Section)

NOTICE

New Delhi, the 9th July, 1996

S.O. 2267.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Ms. Sandhya Saxena, Advocate for appointment as a Notary to practise in Karkardooma Courts, Shahadara, N.C.T. of Delhi.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(144)/96-Judl.]

P. C. KANNAN, Competent Authority

सूचना

नई दिल्ली, 9 जुलाई, 1996

का. आ. 2268:—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री मोजीबर रहमान, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन

इस बात के लिए दिया है कि उसे बर्मीपुर सिविल कोर्ट, 24 परगना सांकेत (पश्चिम बंगाल) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्षा इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5 (145)/96-न्यायिक]

वी.सी. कण्णन्, स्थान प्राधिकारी

NOTICE

New Delhi, the 9th July, 1996

S.O. 2268.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Mojibar Raheman, Advocate for appointment as a Notary to practise in Barauipur Civil Court, 24 Parganas South.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(145)/96-Judl.]

P. C. KANNAN, Competent Authority

गृह मंत्रालय

(पुनर्गम प्रभाग)

नई दिल्ली, 28 जून, 1996

का.आ. 2269 :—विश्वापित व्यक्ति (प्रतिकर पृथ्वी पुनर्गम) अधिनियम, 1954 (1954 का 44) की धारा 3 की उप धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, केन्द्रीय सरकार, एनडब्ल्यूआर, शहरी कार्य और रोजगार मंत्रालय, शहरी विकास विभाग के अधीन भूमि पर्यावरण विकास कार्यालय में जन संघर्ष अधिकारी, श्री चरनदास को जन संघर्ष अधिकारी के रूप में अपने स्वयं के दायित्वों के अतिरिक्त, दिल्ली पर्यावरण नई दिल्ली में सरकार द्वारा नियमित संपत्तियों का पट्टा अवधारणा विलेव जारी करने तथा अतिरिक्त पूल के भाग के रूप में दिल्ली पर्यावरण नई दिल्ली में इस प्रकार की संपत्तियों से लगी भूमि के पट्टा विलेवों के परिवर्तन भूमि के अंतिकरण, टकड़ों के अवरोध के संबंध में उपरोक्त अधिनियम के द्वारा अवधारणा उसके अधीन एक बंदोबस्तु अधिकारी एवं प्रबंध अधिकारी के कार्यों का नियादन करने के उद्देश्य से बंदोबस्तु अधिकारी एवं प्रबंध अधिकारी के रूप में नियुक्त करती है।

2. इसके द्वारा दिनांक 6-11-1992 की अधिसूचना संख्या 1(4)/विशेष संख्या 92-एम.एस. II/एस का अधिक्रमण किया जाता है।

[संख्या 1 (4)/92-बंदोबस्तु]

आर.एस. आहजा, अबर सचिव

MINISTRY OF HOME AFFAIRS

(Rehabilitation Division)

New Delhi, the 28th June, 1996

S.O. 2269.—In exercise of the powers conferred by Sub-Section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954) the Central Government hereby appoints Shri Charan Dass, PRO in the Land and Development Office under Ministry of Urban Affairs and Employment Department of Urban Development as Settlement Officer-cum-Managing Officer for the purpose of performing in addition to his own duties as P.R.O. the functions of a Settlement Officer-cum-Managing Officer by or under the aforesaid Act in respect of issue of lease or conveyance deeds of Government Built Properties in Delhi and New Delhi and conversion of lease-deeds, allotment of additional strips of land etc. adjoining such properties in Delhi and New Delhi forming a part of the Compensation Pool.

2. This is in supersession of Notification No. 1(4)/Spl. Cell/92-SS.II/S dated 6th November, 1992.

[No. 1(4)/92-Settlement]

R. S. AHUJA, Under Secy.

कार्मिक, लोक शिकायत तथा पेशन मंत्रालय

(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 12 जुलाई 1996

का.आ. 2270 :—केन्द्रीय सरकार एनडब्ल्यूआर दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठिन धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए मध्य प्रदेश सरकार गह विभाग के आदेश सं. 7480/250/वीएस/95/बी (i)/II-भोगल दि. 27-21-1995 द्वारा प्राप्त अध्य प्रोफ राज्य सरकार की सहमति से गोपालगंज पुलिस थाना, सापार, मध्य प्रदेश के अपराध सं. 228/1994 के संबंध में भारतीय दंड संहिता, 1860 (1860 का अधिनियम सं. 45) की धारा 420, 467, 468 और 409 के अधीन दंडनीय अपराधों तथा उन्हीं तर्थों से उद्भूत वैने ही संव्यवहार के अनुक्रम में विषय गण उबत अपराधों और किसी अन्य अपराध/अपराधों में संबंधित अवधारणाएँ संपर्क स्थापना, दुष्प्रेरणा तथा पड़वलों के अन्वेषण के लिए दिल्ली विशेष पुलिस न्यायालय के सदस्यों की शक्तियों और अधिकारियों का विस्तारण संपूर्ण मध्य प्रदेश राज्य पर करती है।

[सं. 228/60/95-प.वी.डी.-II]

सतीश चतुर्गी, उप सचिव

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES & PENSIONS

(Department of Personnel & Training)

New Delhi, the 12th July, 1996

S.O. 2270.—In exercise of the powers conferred by sub-section (1) of Section 5 read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946),

the Central Government with the consent of the State Government of Madhya Pradesh vide Home (Police) Department Mantralaya Order No. 7480/350/BS/95(B)(i)/II-Bhopal dated 27th November, 1995, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Madhya Pradesh for investigation of offences punishable under Sections 420, 467, 468 and 409 of the Indian Penal Code, 1860 (Act No. 45 of 1860), arising out of Crime No.228/1994 of Gopalganj Police Station, Sagar Madhya Pradesh and attempts, abductions and conspiracies in relation to or in connection with the said offences and any other offences/offence committed in the course of the same transaction arising out of the same facts.

[No. 228/60/95-AVD.II]  
S. C. TEWARY, Dy. Secy.

विद्य संवालय

(राजस्व विभाग)

नई दिल्ली, 11 जून, 1996

(मायान)

का. आ. 2271.---राज्य अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपर्युक्त (V) द्वारा प्रदत्त अकितरों का प्रयोग करते हुए केन्द्रीय सरकार एवं द्वारा "श्री श्री जगदगुरु शंकराचार्य महासंस्थानम् दर्शनानन्द, श्री शारदापोठम स्मृतिरों को कर्तव्यविधि वर्ष 1996-97 से 1998-99 तक के निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपर्युक्त के प्रयोगजनार्थ अधिसूचित करता है; अवृत्त:—

(i) कर-निकारीयों द्वारा आय का इस्तेवान अथवा इसकी आय द्वा इस्तेवान करने के लिए इधरी संचाल पूर्वक तथा अन्याय उक्त उपर्युक्तों के लिए करेगा, जिनके लिए इनकी स्थापना की गई है;

(ii) कर-निकारीयों ऊपर उल्लिखित कर-निकारण वर्षों से संनत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपाधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक हुए अथवा तरीकों से मिश्व तरों को से इसकी नियम (जेवर-जगहारत फर्नीचर आदि के रूप में प्राप्त तथा रथ-रथाव में सैद्धांतिक अंशदान से मिश्व) का नियेश नहीं करेगा, अथवा उसे जभा नहीं करता रहेगा;

(iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगा। जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निकारीयों के उपर्युक्तों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-प्रस्तकाएँ नहीं रखी जाती हों।

[ग्र. सं. 10123, का. सं. 197/64/96/आयकर नि.-I]  
सूच. के. चौधरी, अवर सचिव

## MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 11th June, 1996

### (INCOME TAX)

S.O. 2271.—In exercise of the powers conferred by sub-clause (V) of clause (23-C) of Section 10 of the Income-tax Act, 1951 (43 of 1961), the Central Government thereby notifies "Sri Sri Jagadguru Shankaracharya Mahasamsthanam Dakshinamanya, Sri Sharada Peetham, Sringeri" for the purpose of the said sub-clause for the assessment years 1996-97 to 1998-99 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10123/F. No. 197/64/96-JTA-I]

H. K. CHOUDHARY, Under Secy.

(आयिक कार्य विभाग)

नई दिल्ली, 11 जुलाई, 1996

का. आ. 2272:—के.प्री.र लैला, राजगारा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियमावली, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में वित्त मंत्रालय, आयिक कार्य विभाग के प्रशासनिक नियंत्रण में स्थित भारतीय साधारण बीमा नियम की अनुषंगी कंपनी ओरिएन्टल इंश्योरेस कंपनी लिमिटेड के निम्नलिखित कार्यालय को, जिसके 80 प्रतिशत से अधिक कर्मचारीबूद्ध ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को अधिसूचित करती है:—

क्षेत्रीय कार्यालय-2, मुम्बई

[संख्या 11013/9/95-हि.का.क.]

सुधीर कुमार वर्मा, अवर सचिव

(Department of Economic Affairs)

New Delhi, the 11th July, 1996

S.O. 2272.—In pursuance of Sub-Rule (4) of Rule 10 of the Official Language (use for official purpose of the Union) Rules, 1976, the Central Government hereby notifies the following office of Oriental Insurance Company Ltd. a Subsidiary Company of the General Insurance Corporation of India, under the administrative control of Ministry of Finance, Department of Economic Affairs, where of more than 80 per cent of staff have acquired working knowledge of Hindi.

Regional Office-2, Mumbai.

[No. 11013/9/95-H.I.C.]

S. K. VERMA, Under Secy.

नई दिल्ली, 11 जुलाई, 1996

का.आ. 2273.—केंद्रीय सरकार राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियमावली, 1976 के नियम 10 के उप नियम (4) के अनुसरण में वित्त भंगालय, आर्थिक कार्य विभाग के प्रशासनिक नियंत्रण में स्थित भारतीय जीवि (गोमा विगम के निम्नलिखित कार्यालयों जिनके 80 प्रतिशत में अधिक कर्मचारी वृद्ध ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है को अधिसूचित करती है :—

1. शाखा कार्यालय-1, हल्दानी
2. शाखा कार्यालय-2, काजाहुरी
3. पेशन एवं सन्ध बीमा इकाई हल्दानी
4. सी ए बी शाखा कार्यालय काशीपुर
5. शाखा कार्यालय, अरमोड़ा
6. शाखा कार्यालय, आगेश्वर
7. शाखा कार्यालय, विलासपुर
8. शाखा कार्यालय, काशीपुर
9. शाखा कार्यालय, खटीमा
10. शाखा कार्यालय, नैनीताल
11. शाखा कार्यालय, पिथौरागढ़
12. शाखा कार्यालय, पन्त नगर
13. शाखा कार्यालय, रुद्रपुर
14. शाखा कार्यालय, रानीखेत
15. शाखा कार्यालय, रामपुर
16. शाखा कार्यालय, डीडीहाट (पिथौरा)
17. शाखा कार्यालय, रामनगर (नैनीताल)
18. शाखा कार्यालय, सितारगंज
19. मंडल कार्यालय, लुधियाना-141001
20. शाखा कार्यालय-1, लुधियाना
21. शाखा कार्यालय-2, लुधियाना
22. शाखा कार्यालय-3 लुधियाना
23. शाखा कार्यालय-4, लुधियाना
24. शाखा कार्यालय-5, लुधियाना
25. डी ए बी, शाखा कार्यालय, लुधियाना
26. सी ए बी, शाखा कार्यालय, लुधियाना
27. पी तथा जी एस शाखा कार्यालय, लुधियाना
28. शाखा कार्यालय, भटियाँ
29. शाखा कार्यालय, जगरांगो
30. शाखा कार्यालय, खन्ना
31. शाखा कार्यालय, मानसा
32. शाखा कार्यालय, समराला
33. मंडल कार्यालय, देहरादून
34. शाखा कार्यालय-1, देहरादून
35. शाखा कार्यालय-2, देहरादून
36. शाखा कार्यालय-3, देहरादून
37. शाखा सी ए बी, देहरादून
38. शाखा कार्यालय, देवबल्द, सहारनपुर
39. शाखा कार्यालय, गंगोह सहारनपुर
40. शाखा कार्यालय गोपेश्वर जमीली
41. शाखा कार्यालय-1, हरिद्वार
42. शाखा कार्यालय-2 हरिद्वार
43. शाखा कार्यालय, कोटद्वार
44. शाखा कार्यालय, मसूरी
45. शाखा कार्यालय, अृषिकेश
46. शाखा कार्यालय-1, रुड़की
47. शाखा कार्यालय-2, रुड़की
48. शाखा कार्यालय-1, सहारनपुर
49. शाखा कार्यालय-2, सहारनपुर
50. शाखा कार्यालय, (श्रीनगर) गढ़वाल
51. शाखा कार्यालय, टिहरी
52. शाखा कार्यालय, उत्तरकाशी
53. शाखा कार्यालय, डाक पत्थर रोड, थिकास नगर

[सं. 11013/9/95-ह.क.क.]

मुधीर कुमार वर्मा, अवर सचिव

New Delhi, the 11th July, 1996

S.O. 2273.—In pursuance of Sub-Rule (4) of Rule 10 of the Official Language (use for official purpose of the Union) Rules, 1976, the Central Government hereby notifies the following offices of the Life Insurance Corporation of India, Under the Administrative control of Ministry of Finance, Department of Economic Affairs, where of more than 80% of staff have acquired working knowledge of Hindi.

1. Branch Office-1, Haldwani
2. Branch Office-2, Kaladhungi
3. P & G Unit, Haldwani
4. C A B Kashipur
5. Branch Office, Almora
6. Branch Office, Bageshwar
7. Branch Office, Vilaspur

8. Branch Office, Kashipur
9. Branch Office, Khatima
10. Branch Office, Nainital
11. Branch Office, Pithoragarh
12. Branch Office, Pant Nagar
13. Branch Office, Rudrapur
14. Branch Office, Ranikhet
15. Branch Office, Rampur
16. Branch Office, Didihat (Pithora)
17. Branch Office, Ram Nagar (Nainital)
18. Branch Office, Sitarganj
19. Divisional Office, Ludhiana-141001
20. Branch Office-1, Ludhiana
21. Branch Office-2, Ludhiana
22. Branch Office-3, Ludhiana
23. Branch Office-4, Ludhiana
24. Branch Office-5, Ludhiana
25. D A V Branch Office, Ludhiana
26. C A B Branch Office, Ludhiana
27. P & G S Branch Office, Ludhiana
28. Branch Office, Bhatinda
29. Branch Office, Jagraon
30. Branch Office, Khanna
31. Branch Office Maansa
32. Branch Office, Sumrala
33. Divisional Office, Dehradun
34. Branch Office-1, Dehradun
35. Branch Office-2, Dehradun
36. Branch Office-3, Dehradun
37. C A B Branch Office, Dehradun
38. Branch Office, Deoband, Saharanpur
39. Branch Office, Gangoh, Saharanpur
40. Branch Office, Gopeshwer (Chamoli)
41. Branch Office-1, Haridwar
42. Branch Office-2, "BHEL", Haridwar
43. Branch Office, Kotdwara
44. Branch Office, Masooti
45. Branch Office, Rishikesh
46. Branch Office-1, Roorki
47. Branch Office-2, Roorki
48. Branch Office-1, Saharanpur
49. Branch Office-2, Saharanpur
50. Branch Office (Srinagar) Pauri Garhwal
51. Branch Office, Tehri
52. Branch Office, Uttarkashi
53. Branch Office, Dak Patthar Road, Vikas Nagar

[No. 11013/9/95-H.I.C.]

S. K. VERMA, Under Secy.

नई दिल्ली, 15 जूलाई, 1996

का.आ. 2274 :—सरकारी स्थान (भ्रमाधिकृत अधिभोगियों की बेदखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एवं द्वारा निम्नलिखित सारणी के कालम (1) में उल्लिखित उन अधिकारियों को नियुक्त

करती है जो सरकार के राजपत्रित अधिकारियों के स्तर के समकक्ष अधिकारी होंगे और उक्त अधिनियम के प्रयोगजन के लिए सम्पदा अधिकारी (एस्टेट अफिसर) होंगे जो उक्त अधिनियम द्वारा प्रदत्त शक्तियों का प्रयोग करते तथा उसके अधीन उक्त सारणी के कालम (2) में उल्लिखित सरकारी स्थानों के संबंध में सम्पदा अधिकारियों को सौंपे गये कर्तव्यों को पूरा करेंगे ।

## सारणी

## अधिकारी का पद

सरकारी स्थानों की श्रेणियां और  
अधिकार क्षेत्र की सीमा

1

2

मुख्य प्रबंधक (स्थान)  
स्टेट बैंक शाफ बीकानेर एंड  
जयपुर तिलक मार्ग,  
प्रधाम कार्यालय, जयपुर

स्टेट बैंक शाफ बीकानेर एंड  
जयपुर का अथवा उसके  
द्वारा अथवा उसकी ओर से  
पट्टे पर लिया गया अथवा  
अधिश्वरण किया गया भारत  
में किसी भी स्थान पर अव-  
स्थित स्थान ।

[फा. सं. 15/6/96-बी ओ ५]-  
पी. मोहन, निदेशक

New Delhi, the 15th July, 1996

S.O. 2274.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints the Officer mentioned in column (1) of the Table below, being an officer equivalent in rank to a gazetted Officer of Government to be Estate Officer for the purposes of the said Act, who shall exercise the powers conferred and perform the duties imposed on the Estate Officers by or under the said Act in respect of the public premises specified in column (2) of the said Table.

## TABLE

Designation of the Officer	Categories of Public Premises and local limit of Jurisdiction
1	2
Chief Manager (Premises) State Bank of Bikaner & Jaipur, Eilak Marg, Head Office, Jaipur,	Premises belonging to or taken on lease or re-quisitioned by or on behalf of the State Bank of Bikaner & Jaipur at anyplace in India,

[F. No. 15/6/96-BOA]  
P. MOHAN, Director

(बैंकिंग प्रभाग)  
नई दिल्ली, 15 जुलाई, 1996

का. श्रा. 2275.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा घोषणा करती है कि उक्त अधिनियम की धारा 15 (1) के उपबन्ध नेंदगाड़ी बैंक लि. पर इस अधिसूचना की तारीख से तीन वर्ष की अवधि के लिए लागू नहीं होंगे।

[फा. सं. 17/6/95-बी ओ ए(ii)]  
पी. मोहन, निदेशक

(Banking Division)  
New Delhi, the 15th July, 1996

S.O. 2275.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of Section 15(1) of the said Act shall not apply, for a period of three years from the date of this notification, to the Nedungadi Bank Ltd.

[F. No. 17/6/95-BOA(ii)]  
P. MOHAN, Director.

नई दिल्ली, 15 जुलाई, 1996

का. श्रा. 2276.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर एतद्वारा यह घोषणा करती है कि उक्त अधिनियम की धारा 13 के उपबन्ध इस अधिसूचना के सरकारी राजपत्र में प्रकाशित होने की तारीख से एक वर्ष की अवधि के लिए नेंदुनगड़ी बैंक लि. पर लागू नहीं होंगे।

[फा. सं. 17/6/95-बी.ओ.ए. (i)]  
पी. मोहन, निदेशक

New Delhi, the 15th July, 1996

S.O. 2276.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of Section 13 of the said Act shall not apply, for a period of One year from the date of this notification, to the Nedungadi Bank Ltd.

[F. No. 17/6/95-BOA(i)]  
P. MOHAN, Director.

नई दिल्ली, 17 जुलाई, 1996

का. श्रा. 2277.—राष्ट्रीयकृत दैक (प्रबंध और प्रक्रीय उपबन्ध) रकीम, 1970 के खंड 3 और खंड 8 के उप-खंड (1) के साथ पठित बैंककारी कम्पनी (उपक्रमों का

अर्जन एवं अंतरण (अधिनियम, 1970 की धारा 9 की उपधारा 3 के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात्, एतद्वारा, श्री आर. जे. कामथ, वर्तमान महाप्रबंधक, केन्द्र बैंक को उनके कार्यभार प्रहण करने की तारीख से 30-4-2001 तक के लिए, केन्द्र बैंक के पूर्ण-कालिक निदेशक (कार्यपालक निदेशक के रूप में पदनामित) करती है।

[फा. सं. 9/15/95-बी.ओ.-I]

मुख्य भार्गव, निदेशक

New Delhi, the 17th July, 1996

S.O. 2277.—In exercise of the powers conferred by clause (a) of sub-section 3 of section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, read with clause 3 and sub-clause (1) of clause 8 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri R. J. Kannath, presently General Manager, Canara Bank, as a whole-time Director (designated as the Executive Director) of Canara Bank, for the period from the date of his taking charge and upto 30-4-2001.

[F. No. 9/15/95-BO.I]

SUDHIR BHARGAVA, Director

(राजस्व विभाग )

प्रादेश

नई दिल्ली, 24 जुलाई, 1996

का. श्रा. 2278.—भारत सरकार के संयुक्त सचिव ने निम्न विवेदियों मुद्रा संरक्षण और तस्करी निवारण अधिनियम 1974 (1974 का 52) की धारा 3 की उपधारा के अधान श्रादेश का सं. 673/28/96 सो. मु. दिनांक 11-4-96 को यह निदेश जारी किया था कि श्री गौरी शंकर, ज्ञानानंद निवासी वी-6/18 महेश नगर गोरे गाव पश्चिम गुंबद्द

को निष्पुष्ट कर लिया जाए, और केन्द्रीय कारागार, नासिक (महाराष्ट्र) में अधिकारी में रखा जाए ताकि उसे शक्ति में माल तस्करी करने से रोका जा सके।

2. केन्द्रीय सरकार के पास यह विवरात करने का कारण है कि पूर्वोत्तर व्यक्ति फरार हो गया है या अपने को दिला रहा है जिनमें उक्त श्रादेश का निवासन नहीं हो सके;

3. अतः श्रव लेने के बाद उक्त अधिनियम की धारा 7 की उपधारा (1) के खंड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश देती है कि पूर्वोत्तर व्यक्ति इस श्रादेश के शासकीय राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस आयुक्त/डाक्टरेक्टर जनरल पुलिस मुख्यमंत्री के नमस्क हाजिर हों।

[फा. सं. 673/28/96-बी.ओ.-8]  
ए. के. सिंहा, अव० सचिव

(Department of Revenue)

## ORDER

New Delhi, the 24th July, 1996

S.O. 2278.—Whereas the Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/28/96 CUS. VIII dated 11-4-96 under the said sub-section directing that Shri Gauri Shankar Jakhalia R/O B-6/18, Mahesh Nagar, Goregaon (W), Mumbai, be detained and kept in custody in the Central prison Nasik (Maharashtra) with a view to preventing him from Smuggling goods in future.

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed.

3. Now therefore, in exercise of the power conferred by clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner/Director General of Police, Mumbai within 7 days of the publication of this order in the official Gazette.

[F. No. 673/28/96-CUS. VIII]

A. K. SINHA, Under Secy.

मुख्य आयकर आयुक्त कार्यालय-III

नई दिल्ली, 28 जून, 1996

सं. 3/96-97

का.आ. 2279.—प्रादेश संख्या 18/90-91 दिनांक 4-3-91 व आदेश संख्या 11/94-95 दिनांक 27-3-95 आंशिक आगोद्धन तथा आय कर अधिनियम, 1961 (1961 की धारा 43) की धारा 120 की उपधारा (1) एवं (2) द्वारा प्रदत्त शक्तियों का तथा केन्द्रीय प्रत्यक्ष कर बोर्ड, नई दिल्ली के काइल संख्या 187/6/89-प्राई.टी.ए.-1/एस.आ. सं. 548 (ई) के अधिसूचना सं. 8694 दिनांक 9-7-90 द्वारा प्रदत्त शक्तियों का तथा इस दिशा में मुख्य सक्षम बनाने वाली अन्य सभी शक्तियों का प्रयोग करते हुए मैं मुख्य आयकर आयुक्त III, कार्रना पानद्वारा आयकर आयुक्त परिवर्त्तन बंगल-XI वलात्ता के अधीन आयकर उपायक, रेज आमनसोल में “आयकर सहायक आयुक्त (टी.डी.एस.) दुर्गापुर,” का नया पद सूचना करता हूं। आयकर कार्यालय दुर्गापुर के क्षेत्राधिकार के अधीन आने वाले ऐसे विषयों के भारद्वार में आयकर अधिनियम, 1961 के अन्याय 17, 17 वी, 17 द्वितीयी, 17 द्वितीय 21 के अन्तर्गत प्राप्त हर सहायक आयकर (टी.डी.एस.) दुर्गापुर निवासिगंग शक्तियों के रास्ते में अधिकारी एवं शक्तियों का प्रयोग करेंगे।

आदेश संख्या 18/90-91 दिनांक 4-3-91 और आदेश संख्या 11/94-95 दिनांक 27-3-95 (क्रम संख्या 16 के

अनुसार) के आयकर अधिकारी वार्ष 1 के तिहित अधिकार को वापस लिया जाता है।

यह प्रादेश दिनांक 2-7-96 से प्रभावी होगा।

[सं. स.आ./मुख्य/योजना/345/96-97]

तेजिन्दर सिंह, मुख्य आयकर आयुक्त-III

OFFICE OF THE CHIEF COMMISSIONER OF INCOME TAX-III

New Delhi, the 28th June, 1996

No. 3/96-97

S.O. 2279.—In partial modification of the Order No. 18/90-91 dated 4-3-91 and Order No. 11/94-95 dated 27-3-95 and in exercise of the powers conferred under Sub-Section (1) and (2) of Section 120 of the Income Tax Act, 1961 (Act No. 43 of 1961) and powers conferred by Notification No. 8694 in F. No. 187/6/89-ITA-I/S.O. No. 548(E) dated 9-7-90 of the Central Board of Direct Taxes, New Delhi, and all other powers enabling as in this behalf. I, the Chief Commissioner of Income Tax-III, Calcutta, hereby create a new charge to be designated as “Assistant Commissioner of Income Tax (TDS), Durgapur” in the Deputy Commissioner of Income Tax Range-Asansol, within the charge of the Commissioner of Income Tax, West Bengal-XI Calcutta, with his Headquarters at Durgapur. The ACT (TDS) Durgapur will be empowered to act and exercise powers and functions as an Assessing Officer under Chapter-XVII, XVIII, XVIBB, XVIBD and XXI of the Income Tax Act, 1961, in respect of such cases falling within the territorial jurisdiction of the Income Tax Office at Durgapur.

The powers vested in the Income Tax Officer, Ward-L, Durgapur vide the Order No. 18/90 dated 4-3-91 and Order No. 11/94-95 dated 27-3-95 (vide Sl. No. 16) are hereby withdrawn.

This Order will take effect from 2-7-96.

[No. AC/HQ/Planning/345/96-97]

TEJINDER SINGH, Chief Commissioner of Income-Tax-III

कार्यालय आयुक्त केन्द्रीय उत्पाद शुल्क एवं सीमा शुल्क

नई दिल्ली, 5 जुलाई, 1996

का.आ. 2280.—श्री प्रम. के. लोटे, अधीक्षक एवं श्री सी.ए. धवड, अधीक्षक, केन्द्रीय उत्पाद शुल्क आयुक्तालय, नागपुर निवासन की आय प्राप्त करने पर दिनांक 30-6-96 की अपार्क्स में शासकीय सेवा से निवृत्त हुए हैं।

[का.सं. 11 (3) 3/95-योजना-I]

आर.जे. बेले, अवर आयुक्त (कार्मिक एवं सतर्कता)

OFFICE OF THE COMMISSIONER OF CENTRAL EXCISE

New Delhi, the 5th July, 1996

S.O. 2280.—Shri M. K. Lotे, Superintendent and Shri C. A. Dhawad, Superintendent, Central Excise Nagpur Commissioner having attained the age of superannuation retired from Government service on 30-6-96 in the afternoon.

[F. No. 11(3)3/95/Estt.-I]

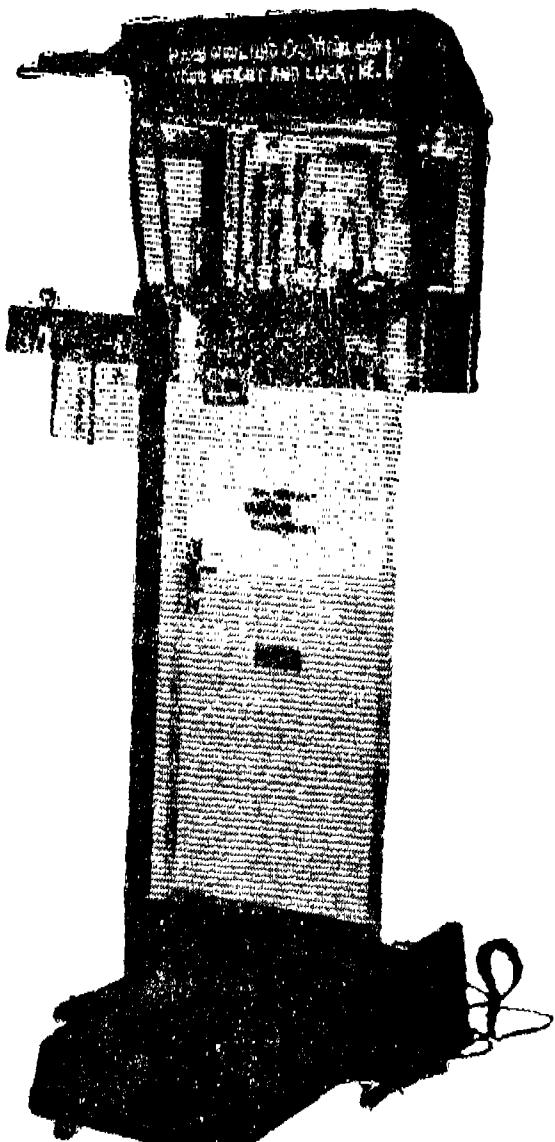
R. J. BELEY, Addl. Commissioner (P&amp;V)

नागरिक पूर्ति उपक्रम, मामते और सार्वजनिक  
वितरण भवालय

तही दिल्ली, 18 जूलाई, 1996

का. श्र. 2281.—यदि केन्द्रीय सरकार का विहित प्राधिकारी द्वारा नियोजित रिपोर्ट पर विचार करने के पश्चात्, समाक्षान हो जाता है कि उक्त रिपोर्ट में वर्णित माडल (आकृति देखिए) बाट और माप मानक बाट (माडल का अनुमोदन) नियम, 1987 के उपदंधों के अनुच्छेद हैं और इस बात की सम्भावना है कि वह लगातार प्रयोग की अवधि में यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा देता रहेगा।

अतः केन्द्रीय सरकार उक्त अधिनियम को धारा 36 उपक्रान्ता (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए ए. श्र. 2281 इज्जीनियरी सेकेल 2/107 परियार सलाइ पालावक्षम मप्रास-600041, न्यारा विनियित स्वदंभूमि,



(आकृति)

अस्ति: चालित आवेशानुसार तैयार मंच तुलनयन के माडल का (जिसे इसमें इसके पश्चात माडल के रूप में निर्दिष्ट किया गया है) और जिसमें धर्म-III यथार्थता के साथ ए. श्र. 2281 द्वारा द्वारा नाम का प्रिंट आउट प्रदानित होता, के अनुमोदन का प्रमाणपत्र प्रकाशित करती है और उसे ईड ०९/९५/४२ अनुमोदन चिह्न संनुदिष्ट किया गया है।

यह माडल (आकृति देखिए) साधारणतः यथार्थता धर्म 3 का आवेशानुसार तैयार मंच तुलन मर्जीन है जिसकी अधिकतम क्षमता 120 किलोग्राम और न्यूनतम क्षमता 5 किलोग्राम है। इसका संयाम अनुमापी अन्तराल 500 ग्राम है भारप्राप्ति द्वारा और उसकी भूजाएं 200 किलोमीटर होती हैं। प्रिंट आउट टिकट से तुलन परियाम उपलब्ध होगा। यह धंत 230 वोल्ट 50 हर्ट्ज के प्रत्याकर्णी धारा विद्युत प्रदाय पर कार्य करेगा।

[का. श्र. उल्लू एम 21(70)/94]

राजीव श्रोतवास्तव, संयुक्त सचिव

MINISTRY OF CIVIL SUPPLIES, CONSUMER  
AFFAIRS AND PUBLIC DISTRIBUTION

New Delhi, the 18th July, 1996

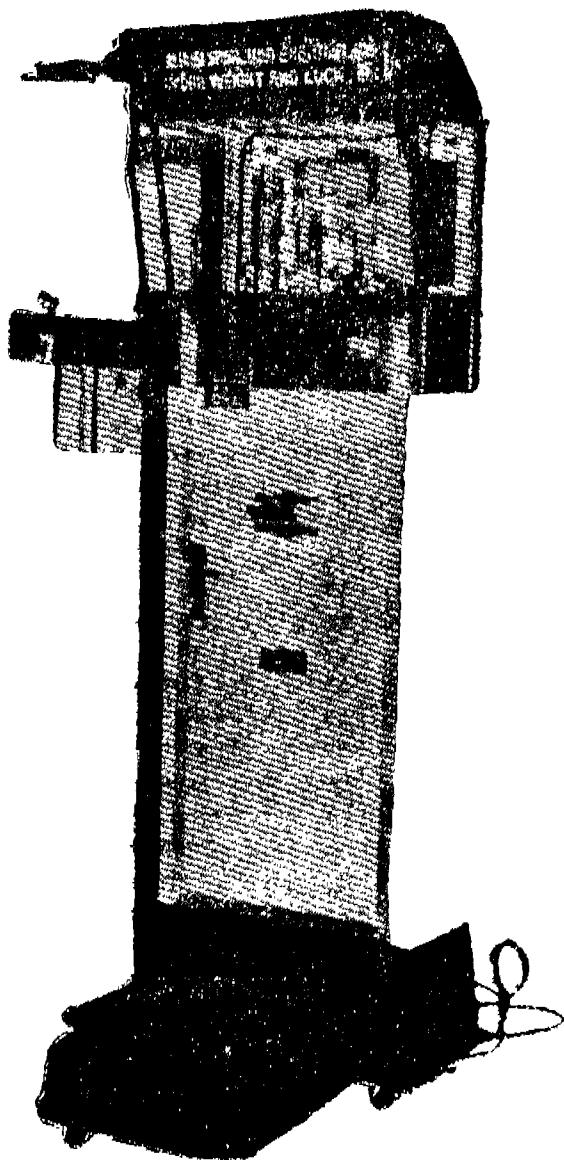
S.O. 2281.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the self-indicating, non-automatic custom built platform weighing instrument with print-out display of type and brand name "AST" of accuracy class III (herein-after referred to as the Model) manufactured by M/s A. S. T. Engineering Scales, 2/107, Periyar Salai,

Palavakkam, Madras-600 041, and which is assigned the approval mark IND/09/95/42;

The Model (see figures) is a ordinary accuracy (accuracy class III) custom built platform weighing machine with a maximum capacity of 120 kilogram

and minimum capacity of 5.0 kg. The verification scale interval (e) is 500 gram. The load receptor is of square shape of sides 200 milimetre. The print-out ticket indicates the weighing result. The instrument operates on 230 volts, 50 hertz alternate current power supply



[F. No. WM-21/(70)/94]  
RAJIV SRIVASTAVA, Jr. Secy.

कोयला मंत्रालय

नई दिल्ली, १४ जून, १९९६

का.आ. २२४२:- केन्द्रीय सरकार को यह प्रतीत होता है कि इससे उपायक अनुमूची में उल्लिखित भूमि में कोयला अभियान किए जाने की समा-  
वना है।

यह, आज, केन्द्रीय सरकार, कोयला ध्यारक शेत्र (अर्जन अधिकार विभाग) अधिनियम, 1957 (1956 का 20) की धारा 4 को उल्लारा (i) द्वारा  
प्रदत्त शक्तियों का प्रयोग करते हुए, उस धोत्र में कोयले का पूर्णेण करने के अवैत आशय को सूचना देते हैं।

इस अभियुक्तना के प्राचीन आवे वाले रेखांक सं. राज. 12/95 तारीख 28 जून, 1995 का निर्गमण सेट्रल कोलसीडिंग लि. (राज्य अनुभाग)  
दरभंगा द्वारा, राजी के कार्यालय में वा कीवला नियन्त्रक, 1, कार्डिनल हाउस स्ट्रीट, कलकत्ता के कार्यालय में या उपर्युक्त, हजारीबाग शीर चतरा (बिहार)  
के कार्यालय में किया जा सकता है।

इस अधिसूचना के अंतर्गत आने वाली भूमि में हितवद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी नक्शों, चारों ओर अन्य वस्तुओं को, इस अधिसूचना के प्रकाशन की तारीख से नव्वे दिन के भीतर भारतीय अधिकारी/विभाग प्रमुख (राज्य), सेंट्रल कोनसीलिंग लि. द्वारा हाउस रजी को भेजें।

## प्रत्यक्षी

## हजारी खंड

## उत्तरी करनपुरा कोलमील्डम और जिला हजारीबाग और चतरा

(प्रदेश के लिए अधिसूचित भूमि वर्णन हुए)

प्र.सं.	ग्राम	थाना	थाना सं.	जिला	क्षेत्र एकड़ में	हैक्टर में ज्ञेत्र	ट्रिप्पणी
1	2	3	4	5	6	7	8
1. पांडा	बरका गांव	11	हजारी बाग	320.00	129.55	भाग	
2. जार्दे	बरका गांव	15	हजारी बाग	350.00	141.70	भाग	
3. सोहांकुर	बरका गांव	16	हजारी बाग	179.63	72.72	पूर्ण	
4. शोभूर	बरका गांव	17	हजारी बाग	1168.53	473.09	पूर्ण	
5. चरीया	बरका गांव	18	हजारी बाग	97.05	39.29	पूर्ण	
6. पश्चार	बरका गांव	19	हजारी बाग	512.00	207.29	पूर्ण	
7. कुल्लीर	बरका गांव	20	हजारी बाग	115.00	46.59	पूर्ण	
8. बद्रियोर	बरका गांव	21	हजारी बाग	140.09	56.72	पूर्ण	
9. समारिया	बरका गांव	22	हजारी बाग	225.10	91.13	पूर्ण	
10. नोचारी	बरका गांव	23	हजारी बाग	244.54	99.00	पूर्ण	
11. करादीद	बरका गांव	24	हजारी बाग	1900.00	769.23	भाग	
12. कटूला	बरका गांव	25	हजारी बाग	900.00	364.37	भाग	
13. पश्चाकलान	बरका गांव	26	हजारी बाग	1800.00	728.74	भाग	
14. जमदारी	बरका गांव	27	हजारी बाग	650.00	263.16	भाग	
15. हातेर	बरका गांव	28	हजारी बाग	227.32	92.03	पूर्ण	
16. पश्चा	बरका गांव	29	हजारी बाग	96.00	38.87	भाग	
17. फेता	बरका गांव	32	हजारी बाग	320.00	129.55	भाग	
18. करदाबर	बरका गांव	33	हजारी बाग	245.00	99.19	भाग	
19. पश्चाल्दे	बरका गांव	34	हजारी बाग	409.22	165.68	पूर्ण	
20. गरिकलान	बरका गांव	35	हजारी बाग	586.38	237.40	पूर्ण	
21. गर्गिलूर	बरका गांव	36	हजारी बाग	225.53	91.31	पूर्ण	
22. गमरेयपुर खुर्द	बरका गांव	37	हजारी बाग	462.50	187.25	पूर्ण	
23. डमरिया कलान	बरका गांव	38	हजारी बाग	197.00	79.76	पूर्ण	
24. दरियारहंडे	बरका गांव	39	हजारी बाग	126.28	51.12	पूर्ण	
25. गमदकलान	बरका गांव	40	हजारी बाग	146.35	59.25	पूर्ण	
26. उर्हत	बरका गांव	41	हजारी बाग	500.00	202.43	भाग	
27. बरोली	बरका गांव	42	हजारी बाग	288.00	116.60	भाग	
28. नार्गी	बरका गांव	49	हजारी बाग	256.00	103.64	भाग	
29. दादीकला	बरका गांव	51	हजारी बाग	416.00	168.42	भाग	
30. छक्कला	बरका गांव	52	हजारी बाग	128.00	51.82	भाग	
31. लहन्दुर्द	बरका गांव	53	हजारी बाग	253.88	102.78	पूर्ण	
32. चार्गुरा	बरका गांव	55	हजारी बाग	294.00	119.02	भाग	
33. पकरीवरावालीड	बरका गांव	56	हजारी बाग	500.00	202.43	भाग	
34. बरकालालिं	बरका गांव	57	हजारी बाग	842.88	341.25	पूर्ण	
35. लगानी	बरका गांव	58	हजारी बाग	610.82	247.30	पूर्ण	
36. सर्वरमा	बरका गांव	59	हजारी बाग	470.18	190.35	पूर्ण	
37. निर्दी	बरका गांव	60	हजारी बाग	258.13	104.50	पूर्ण	
38. लर्ना	बरका गांव	61	हजारी बाग	283.47	114.76	पूर्ण	
39. करी	बरका गांव	62	हजारी बाग	537.31	217.53	पूर्ण	
40. नरा	बरका गांव	63	हजारी बाग	104.29	42.22	पूर्ण	

1	2	3	4	5	6	7	8
41. सिकारी		बरका गांव	64	हजारी बाग	2300.00	931.17	भाग
42. परेरिया		बरका गांव	65	हजारी बाग	600.00	242.91	भाग
43. मिरमा		बरका गांव	66	हजारी बाग	500.00	202.91	भाग
44. कतारी		बरका गांव	67	हजारी बाग	500.00	202.43	भाग
45. कुथान		बरका गांव	71	हजारी बाग	130.00	52.63	भाग
46. जोको		बरका गांव	72	हजारी बाग	228.56	92.53	पूर्ण
47. छट		बरका गांव	73	हजारी बाग	500.00	202.43	भाग
48. कामो		बरका गांव	74	हजारी बाग	400.00	161.94	भाग
49. करेली		बरका गांव	75	हजारी बाग	1616.26	613.87	पूर्ण
50. बदालप		बरका गांव	76	हजारी बाग	291.88	118.17	पूर्ण
51. पिटा		बरका गांव	77	हजारी बाग	1206.96	488.65	पूर्ण
52. मैल		बरका गांव	78	हजारी बाग	396.80	160.65	भाग
53. सालमा		बरका गांव	79	हजारी बाग	486.40	196.92	भाग
54. बेंदो		बरका गांव	80	हजारी बाग	2300.00	931.17	भाग
55. तरथा		बरका गांव	81	हजारी बाग	2000.00	809.72	भाग
56. बान्दू		बरका गांव	82	हजारी बाग	1400.00	566.80	भाग
57. हाना		बरका नोव	33	हजारी बाने	1542.52	422.09	पूर्ण
58. किरिगारा		बरका गांव	84	हजारी बाग	400.00	161.94	भाग
59. नुहार्सा		बरका गांव	91	हजारी बाग	180.00	72.87	भाग
60. बदुका		बरका गांव	92	हजारी बाग	600.00	242.91	भाग
61. खलिया		बरका गांव	93	हजारी बाग	700.00	283.40	भाग
62. प्रांतो		बरका गांव	97	हजारी बाग	2100.00	850.20	भाग
63. कुंदमग		बरका गांव	98	हजारी बाग	1400.00	566.80	भाग
64. पतरा		बरका गांव	99	हजारी बाग	428.29	173.40	पूर्ण
65. बैतरा		बरका गांव	100	हजारी बाग	90.00	36.44	भाग
66. सिलादी		बरका गांव	101	हजारी बाग	500.00	202.43	भाग
67. कुयलिय		बरका गांव	102	हजारी बाग	2119.70	858.18	पूर्ण
68. पलाहू		बरका गांव	103	हजारी बाग	1000.00	404.86	भाग
69. महूदी		बरका गांव	104	हजारी बाग	1000.00	404.86	भाग
70. तालेश्वर		बरका गांव	105	हजारी बाग	1416.01	573.28	पूर्ण
71. मलदिया		बकरा गांव	106	हजारी बाग	1800.00	728.74	भाग
72. नोपाखुंड		बरका गांव	107	हजारी बाग	100.00	404.86	भाग
73. अरबानिया		बरका गांव	108	हजारी बाग	1200.00	485.83	भाग
74. इस्को		बरका गांव	109	हजारी बाग	1900.00	769.23	भाग
75. राउतपारा		बरका गांव	110	हजारी बाग	500.00	202.43	भाग
76. कुतलवा		बरका गांव	111	हजारी बाग	414.43	167.78	पूर्ण
77. दंधाडीह		बरका गांव	112	हजारी बाग	65.62	26.57	पूर्ण
78. हरली		बरका गांव	113	हजारी बाग	1035.22	419.12	पूर्ण
79. नेपाकलां		बरका गांव	114	हजारी बाग	560.93	227.10	पूर्ण
80. खरानो		बरका गांव	115	हजारी बाग	527.18	213.43	पूर्ण
81. गोसाईबालिया		बरका गांव	116	हजारी बाग	367.37	148.73	पूर्ण
82. छपदरबलीया		बरका गांव	117	हजारी बाग	240.98	97.56	पूर्ण
83. नामाटड		बरका गांव	113	हजारी बाग	525.43	213.55	पूर्ण
84. सकारी		बरका गांव	119	हजारी बाग	93.92	38.02	पूर्ण
85. बिशरामपुर		बरका गांव	120	हजारी बाग	91.12	36.89	पूर्ण
86. भादुसीपि पड़ानी		बरका गांव	121	हजारी बाग	279.95	113.34	पूर्ण
87. बलहेल्लत		बरका गांव	122	हजारी बाग	459.51	185.99	पूर्ण
88. हमामसिवेदित		बरका गांव	123	हजारी बाग	678.52	274.70	पूर्ण
89. समपुरा		बरका गांव	124	हजारी बाग	36.64	14.83	पूर्ण
90. मिराजपुर		बरका गांव	125	हजारी बाग	629.60	254.90	भाग
91. संष		बरका गांव	128	हजारी बाग	919.11	372.11	पूर्ण
92. चंगर		बरका गांव	127	हजारी बाग	537.25	217.51	पूर्ण
93. लकुरा		बरका गांव	128	हजारी बाग	600.00	242.91	भाग
94. चंदोल		बरका गांव	129	हजारी बाग	1295.29	524.43	पूर्ण

1	2	3	4	5	6	7	8
95. पेरीदोत	बरका गांव	130	हजारी बाग	300.00	121.46	भाग	
96. मरदा	बरका. गांव	131	हजारी बाग	128.00	51.82	भाग	
97. बदूबलिया	बरका. गांव	132	हजारी बाग	300.00	121.46	भाग	
98. महुगांवकला	बरका गांव	133	हजारी बाग	136.31	55.18	पूर्ण	
99. मृगैन	बरका गांव	134	हजारी बाग	92.72	37.54	पूर्ण	
100. बदाम	बरका गांव	135	हजारी बाग	569.71	230.65	पूर्ण	
101. मध्भाजीन	बरका गांव	136	हजारी बाग	577.63	233.86	पूर्ण	
102. सकुलखापिया	बरका गांव	137	हजारी बाग	192.00	77.73	भाग	
103. दामोदर	बरका गांव	138	हजारी बाग	150.00	60.73	भाग	
104. मोता	बरका गांव	139	हजारी बाग	400.00	161.94	भाग	
105. ल्ही	बरका गांव	143	हजारी बाग	90.00	36.44	भाग	
106. सेहूदा	बरका गांव	148	हजारी बाग	150.00	60.73	भाग	
107. लस्या	बरका गांव	150	हजारी बाग	200.00	80.97	भाग	
108. पसरिया	बरका गांव	152	हजारी बाग	1375.00	556.68	भाग	
109. कारो	केराधरी	77	हजारी बाग	1671.62	676.77	भाग	
110. किस्तो	केराधरी	78	हजारी बाग	498.08	201.65	भाग	
111. बुक्कुम	तंडवा	55	चतरा	896.00	362.75	भाग	
112. करमसंर	तंडवा	75	चतरा	832.00	336.84	भाग	
113. छोरा	तंडवा	76	चतरा	256.00	103.64	भाग	
114. कल्याणपुर	तंडवा	85	चतरा	320.00	129.55	भाग	

मुल शेक्ष : 70015.00 एकड़ (लगभग)

या

28346.06 हेक्टर (लगभग)

या

283.40 वर्ग कि.मी. (लगभग)

### सीमा वर्णन

क-व्य

रेखा, ग्राम युक्तग्राम में होकर जाती है और "व्य" बिन्दु पर मिलती है।

व्य-ग

रेखा, ग्राम नदी की मध्य रेखा के भाग के साथ-साथ जाती है और बिन्दु "ग" पर मिलती है।

—घ

रेखा, ग्राम मोल, मान्मा, कुष्ठा, घूट, कार्मो, करार्दीह, कोहुदा, पकाकला और सीकरी ग्राम से होकर जाती है और "घ" बिन्दु पर मिलती है।

घ-ङ

रेखा, ग्राम परंरिया, पिरमा, परंरिया, मिरमा, कतरतारे, मिरिजापुर, मूर्दी, पजादू, कुंदसम और अंगों से होकर जाती है और "ङ" बिन्दु पर मिलती है।

ङ-च

रेखा, ग्राम अंगों, खतिया, बसुका, सारखा और बंदे से होकर जाती है और "च" बिन्दु पर मिलती है।

च-छ

रेखा, ग्राम करमाचंद, छोरा और कल्याणपुर से होकर जाती है तथा "छ" बिन्दु पर मिलती है।

छ-ज

रेखा, ग्राम कल्याणपुर जो कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 9 (1) के अधीन आदेश. सं. 747 तारीख 15-4-89 द्वारा अर्जित पिपरबार ल्लाक बिस्तार की सम्मिलित सीमा का निर्माण करती है) और "ज" बिन्दु पर मिलती है।

ज-स-व्य

रेखा ग्राम कारां, किस्तों किरणा से होकर जाती है (जो कोयला धारक क्षेत्र, (अर्जन और विकास) अधिनियम, 1957 की धारा 9 (1) के अधीन का कलिम आदेश सं. 2224, तारीख 23-10-1993 द्वारा पिपरबार ल्लाक बिस्तार की सम्मिलित सीमा का भाग निर्माण करती है) और "व्य" बिन्दु पर मिलती है।

व्य-

रेखा ग्राम किरणा, बंदू का और खटिया से होकर जाती है और "व्य" बिन्दु पर मिलती है।

ठ-ह

रेखा ग्राम खतिया, लुहार्जा अंगों, बेतरा खिलादी और पसारिया से होकर जाती है तथा "ह" बिन्दु पर मिलती है।

ह-छ

रेखा, ग्राम पसारिया और तस्मान की भागतः सम्मिलित सीमा के साथ साथ, पसारिया, मलदिया, परबुर्द, बुरबानिया और लस्या ग्रामों, इस्को और लस्या, सेहूदा और कुर, ग्रामों की भागतः सम्मिलित सीमा से होकर, फिर सेहूदा इस्कों राउतपारा और ल्ही ग्रामों से होकर जाती है और "छ" बिन्दु पर मिलती है।

ज-त

रेखा, बदामवी नदी की मध्य रेखा के भाग के साथ-साथ जाती है जो ग्राम बदाम और ल्ही, मोबर, तथा गंदेपारा की सम्मिलित सीमा का भाग है तथा "त" बिन्दु पर मिलती है।

त-घ

रेखा, ग्राम मोतरा, दामोदर, ल्लाके खिलिया, बनुवातिया, मरवा, पैरीछोत से फिर ग्राम पारीवाल तथा बरकामा के अरकिल बन से होकर पिर ग्राम लकूरा, पक्करी बखार्दीह, पर्हाहुरा, हपाकला, दादीकला नगारा से होकर तब ग्राम उस्त और बरोली से होकर जाती है और "घ" बिन्दु पर मिलती है।

प्र-८ रेहा, ग्राम बर्गीली, उत्तर झगोलो करदाबाबर, बर्गीली, करदाबाबर, देल्तु, जमशारा, पवरा से फिर ग्राम झगला और हवाई, हरता तथा दृष्टिरी समर्थिया और तोरडेसा की भागत: मर्मानित ग्राम से होकर किर पड़ा ग्राम से होकर तब ग्राम चारा और शर्मिदा की भागत: मर्मानित ग्राम से होकर किर पगार ग्राम से होने हुए "क" बिल्ड पर मिलती है।

द-९ रेहा, ग्राम पगार से होकर जाती है किर ग्राम पगार और छत्तोरियातु, डारदे तथा छसीग्राम्यातु की भागत: मर्मानित ग्राम होकर किर ग्राम जरदे से होने हुए ग्रामिक बिल्ड "क" पर मिलती है।

[म. 43015/17/95-एल.एस. उच्च.]  
प्रेस लना एनी, अवर सचिव

### MINISTRY OF COAL

New Delhi, the 14th June, 1996

S.O. 2282 —Whereas it appears to the Central Government that Coal is likely to be obtained from the lands mentioned in the schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal herein;

The plan No. Rev./12/95 dated the 28th June, 1995, of the area covered by this notification can be inspected at the Office of the Central Coalfields Limited (Revenue Department), Darbhanga House, Ranchi or at the Office of the Coal Controller, 1, Council House Street, Calcutta or at the Office of the Deputy Commissioner, Hazaribagh and Chatra (Bihar);

All persons interested in the land covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Officer-in-Charge/Head of Department (Revenue), Central Coalfields Limited, Darbhanga House, Ranchi, within ninety days from the date of publication of this notification.

### SCHEDULE HOHARO BLOCK NORTH KARANPURA COALFIELD DISTRICT HAZARIBAGH AND CHATRA (Showing land notified for prospecting)

Sl. No.	Village	Thana	Thana No.	District	Area in acre	Area in hectares	Remarks
1.	2.	3.	4.	5.	6.	7.	8.
1.	Panda	Barkagaon	11	Hazaribagh	320.00	129.55	Part
2.	Jardey	Barkagaon	15	Hazaribagh	350.00	141.70	Part
3.	Loisukur	Barkagaon	16	Hazaribagh	179.63	72.72	Full
4.	Omch	Barkagaon	17	Hazaribagh	1168.53	473.09	Full
5.	Chassia	Barkagaon	18	Hazaribagh	97.05	39.29	Full
6.	Payar	Barkagaon	19	Hazaribagh	512.00	207.29	Full
7.	Kulead	Barkagaon	20	Hazaribagh	115.00	46.59	Full
8.	Babdeor	Barkagaon	21	Hazaribagh	140.09	56.72	Full
9.	Sasaria	Barkagaon	22	Hazaribagh	225.10	91.13	Full
10.	Lochari	Barkagaon	23	Hazaribagh	244.54	99.00	Full
11.	Karadih	Barkagaon	24	Hazaribagh	1900.00	769.23	Part
12.	Kadula	Barkagaon	25	Hazaribagh	900.00	364.37	Part
13.	Patrakalan	Barkagaon	26	Hazaribagh	1800.00	728.74	Part
14.	Jamdara	Barkagaon	27	Hazaribagh	650.00	263.16	Part
15.	Harle	Barkagaon	28	Hazaribagh	227.32	92.03	Full
16.	Pabra	Barkagaon	29	Hazaribagh	96.00	38.87	Part
17.	Belta	Barkagaon	32	Hazaribagh	320.00	129.55	Part
18.	Kardabar	Barkagaon	33	Hazaribagh	245.00	99.19	Part

1.	2.	3.	4.	5.	6.	7.	8.
19.	Patrakhurd	Barkagaon	34	Hazaribagh	409.22	165.68	Full
20.	Garikalan	Barkagaon	35	Hazaribagh	586.38	237.40	Full
21.	Garikhurd	Barkagaon	36	Hazaribagh	225.53	91.31	Full
22.	Ramdeypur khurd	Barkagaon	37	Hazaribagh	462.50	187.25	Full
23.	Dasuriakalan	Barkagaon	38	Hazaribagh	197.00	79.76	Full
24.	Dariakhurd	Barkagaon	39	Hazaribagh	126.28	51.12	Full
25.	Ramdeykalan	Barkagaon	40	Hazaribagh	146.35	59.25	Full
26.	Urut	Barkagaon	41	Hazaribagh	500.00	202.43	Part
27.	Baroli	Barkagaon	42	Hazaribagh	288.00	116.60	Part
28.	Nagri	Barkagaon	49	Hazaribagh	256.00	103.64	Part
29.	Dadikalan	Barkagaon	51	Hazaribagh	416.00	168.12	Part
30.	Chhakalan	Barkagaon	52	Hazaribagh	128.00	51.82	Part
31.	Chhakhurd	Barkagaon	53	Hazaribagh	253.88	102.78	Full
32.	Arrahura	Barkagaon	55	Hazaribagh	294.00	119.02	Part
33.	Pakri-Barwadih	Barkagaon	56	Hazaribagh	500.00	202.43	Part
34.	Barkagaon	Barkagaon	57	Hazaribagh	842.88	341.25	Full
35.	Lungata	Barkagaon	58	Hazaribagh	610.82	247.30	Full
36.	Sanbarsa	Barkagaon	59	Hazaribagh	470.18	190.35	Full
37.	Senduary	Barkagaon	60	Hazaribagh	258.13	104.50	Full
38.	Churcha	Barkagaon	61	Hazaribagh	283.47	114.76	Full
39.	Kari	Barkagaon	62	Hazaribagh	537.31	217.53	Full
40.	Hesla	Barkagaon	63	Hazaribagh	104.29	42.22	Full
41.	Sikari	Barkagaon	64	Hazaribagh	2300.00	931.17	Part
42.	Pareria	Barkagaon	65	Hazaribagh	600.00	242.91	Part
43.	Sirma	Barkagaon	66	Hazaribagh	500.00	202.43	Part
44.	Kartary	Barkagaon	67	Hazaribagh	500.00	202.43	Part
45.	Kuthan	Barkagaon	71	Hazaribagh	130.00	52.63	Part
46.	Joko	Barkagaon	72	Hazaribagh	228.56	92.53	Full
47.	Ghutu	Barkagaon	73	Hazaribagh	500.00	202.43	Part
48.	Kamo	Barkagaon	74	Hazaribagh	400.00	161.94	Part
49.	Karali	Barkagaon	75	Hazaribagh	1516.26	613.87	Full
50.	Badakhap	Barkagaon	76	Hazaribagh	291.88	118.17	Full
51.	Peto	Barkagaon	77	Hazaribagh	1206.96	488.65	Full
52.	Sail	Barkagaon	78	Hazaribagh	396.80	160.65	Part
53.	Salga	Barkagaon	79	Hazaribagh	486.40	196.92	Part
54.	Benbo	Barkagaon	80	Hazaribagh	2300.00	931.17	Part
55.	Tarwa	Barkagaon	81	Hazaribagh	2000.00	809.72	Part
56.	Bandu	Barkagaon	82	Hazaribagh	1400.00	566.80	Part
57.	Hapna	Barkagaon	83	Hazaribagh	1042.57	422.09	Full
58.	Kirigara	Barkagaon	84	Hazaribagh	400.00	161.94	Part
59.	Luharsa	Barkagaon	91	Hazaribagh	180.00	72.87	Part
60.	Batuka	Barkagaon	92	Hazaribagh	600.00	242.91	Part
61.	Khatia	Barkagaon	93	Hazaribagh	700.00	283.40	Part
62.	Ango	Barkagaon	97	Hazaribagh	2100.00	850.20	Part
63.	Kundrum	Barkagaon	98	Hazaribagh	1400.00	566.80	Part
64.	Patra	Barkagaon	99	Hazaribagh	428.29	173.40	Full
65.	Baitra	Barkagaon	100	Hazaribagh	90.00	36.44	Part
66.	Seladi	Barkagaon	101	Hazaribagh	500.00	202.43	Part
67.	Kuilong	Barkagaon	102	Hazaribagh	2119.70	858.18	Full
68.	Palandu	Barkagaon	103	Hazaribagh	1000.00	404.86	Part
69.	Mahudi	Barkagaon	104	Hazaribagh	1000.00	404.86	Part
70.	Talaswar	Barkagaon	105	Hazaribagh	1416.01	573.28	Full
71.	Maldia	Barkagaon	106	Hazaribagh	1800.00	728.74	Part

1.	2.	3.	4.	5.	6.	7.	8.
72.	Nopakhurd	Barkagaon	107	Hazaribagh	1000.00	404.86	Part
73.	Burwania	Barkagaon	108	Hazaribagh	1200.00	485.83	Part
74.	Isko	Barkagaon	109	Hazaribagh	1900.00	769.23	Part
75.	Rautpara	Barkagaon	110	Hazaribagh	500.00	202.43	Part
76.	Kutalawa	Barkagaon	111	Hazaribagh	414.43	167.78	Full
77.	Danthadih	Barkagaon	112	Hazaribagh	65.62	26.57	Full
78.	Harli	Barkagaon	113	Hazaribagh	1035.22	419.12	Full
79.	Nepokalan	Barkagaon	114	Hazaribagh	560.93	227.10	Full
80.	Kharato	Barkagaon	115	Hazaribagh	527.18	213.43	Full
81.	Gosaibalia	Barkagaon	116	Hazaribagh	367.37	148.73	Full
82.	Chapadarbalia	Barkagaon	117	Hazaribagh	240.98	97.56	Full
83.	Nanatand	Barkagaon	118	Hazaribagh	527.48	213.55	Full
84.	Sakari	Barkagaon	119	Hazaribagh	93.92	38.02	Full
85.	Bisrampur	Barkagaon	120	Hazaribagh	91.12	36.89	Full
86.	Bhadulipipdanhi	Barkagaon	121	Hazaribagh	279.95	113.34	Full
87.	Balhellut	Barkagaon	122	Hazaribagh	459.41	185.99	Full
88.	Hamamsibadit	Barkagaon	123	Hazaribagh	678.52	274.70	Full
89.	Sanpura	Barkagaon	124	Hazaribagh	36.64	14.83	Full
90.	Mirijapur	Barkagaon	125	Hazaribagh	629.60	254.90	Part
91.	Sandh	Barkagaon	126	Hazaribagh	919.11	372.11	Full
92.	Dhergu	Barkagaon	127	Hazaribagh	537.25	217.51	Full
93.	Lakura	Barkagaon	128	Hazaribagh	600.00	242.91	Part
94.	Chendaul	Barkagaon	129	Hazaribagh	1295.29	524.41	Full
95.	Perridot	Barkagaon	130	Hazaribagh	300.00	121.46	Part
96.	Marda	Barkagaon	131	Hazaribagh	128.00	51.82	Part
97.	Balubalia	Barkagaon	132	Hazaribagh	300.00	121.46	Part
98.	Mahugaonkalan	Barkagaon	133	Hazaribagh	136.31	55.18	Full
99.	Mahugain	Barkagaon	134	Hazaribagh	92.72	37.54	Full
100.	Badam	Barkagaon	135	Hazaribagh	569.71	230.65	Full
101.	Ambajit	Barkagaon	136	Hazaribagh	577.63	233.86	Full
102.	Sakulkhapia	Barkagaon	137	Hazaribagh	192.00	77.73	Part
103.	Damodar	Barkagaon	138	Hazaribagh	150.00	60.73	Part
104.	Motra	Barkagaon	139	Hazaribagh	400.00	161.94	Part
105.	Rudi	Barkagaon	143	Hazaribagh	90.00	36.44	Part
106.	Sehda	Barkagaon	148	Hazaribagh	150.00	60.73	Part
107.	Laruga	Barkagaon	150	Hazaribagh	200.00	80.97	Part
108.	Pasaria	Barkagaon	152	Hazaribagh	1375.00	556.68	Part
109.	Karo	Keredari	77	Hazaribagh	1671.62	676.77	Part
110.	Kisto	Keredari	78	Hazaribagh	498.08	201.65	Part
111.	Bukrum	Tandwa	55	Chatra	896.00	362.75	Part
112.	Karmatanr	Tandwa	75	Chatra	832.00	336.84	Part
113.	Chora	Tandwa	76	Chatra	256.00	103.64	Part
114.	Kalyanpur	Tandwa	85	Chatra	320.00	129.55	Part

Total Area: 70015.00 Acres (approximately)  
 or 28346.06 Hectares (approximately)  
 or 283.40 Square Kilometre (approximately)

## BOUNDARY DESCRIPTION

A—B line passes through village Bukrum and meets at point 'B'.

B—C line passes along part central line of River Garhi and meets at point 'C'.

C—D line passes through villages Sail, Salga, Kuthan, Ghutu, Kamo, Karadiah, Kodula, Patrakallan and Sikari and meets at point 'D'.

D—E line passes through villages Pareria, Sirma, Paleria, Sirma, Kartary, Mirijapur, Mahudi, Palandu, Kundrum and Ango and meets at point 'E'.

E—F line passes through villages Ango, Khatia, Batuka, Tarwa and Benbe and meets at point 'F'.

F—G line passes through villages Karmatand, Chora and Kalyanpur and meets at point 'G'.

G—H line passes through villages Kalyanpur which forms part common boundary of Piparwar Block Extn. II acquired under section 9 (1) of Coal Bearing Areas (Acquisition and Development) Act, 1957 vide S.O. No. 747 dated 15-4-89 and meets at point 'H'.

H—I—J—K lines pass through villages Karo, Kisto and Kirigara (which forms part common boundary of Piparwar Block Extn. III acquired Under Section 9 (1) of Coal Bearing Areas (Acquisition and Development) Act, 1957 vide S.O. No. 2224 dated 23-10-93) and meet at point 'K'.

K—L line passes along part central line of River Damodar and meets at point 'L'.

L—M line passes through villages Kirigara, Bandu, Batuka, and Khatia and meets at point 'M'.

M—N line passes through villages Khatia, Luharsa, Ango, Baitra, Scladi and Pasaria and meets at point 'N'.

N—O line passes along part common boundary of villages Pasaria and Larugathen through villages Pasaria, Maldia, Nopakhurd, Burwania and Laruga, part common boundary of villages Isko and Laruga, Sehda and Kura then through villages Sehda, Isko, Rautpara and Rudi and meets at point 'O'.

O—P line passes along part central line of River Badamahi which is part common boundary of villages Badam and Rudi, Motra and Gandepara and meets at point 'P'.

P—Q line passes through villages Motra, Damodar, Sakulkharia, Balubalia, Marda, Perridot, then part common boundary of villages Perridot and Barkagaon, Reserved Forest then through villages Lakura, Pakribarwadih, Arrakura, Chhapakalan, Dadikalan, Nagri, then part common boundary of villages Urut and Chirudih then through villages Urut and Baroli and meets at point 'Q'.

Q—R line passes through villages Baroli, Urut, Baroli, Kardabar, Baroli, Kardabar, Beltu, Jamdara, Pabra, then part common boundary of villages Harla and Hawai, Harla and Bhughari, Sasaria and Torhesa then through village Panda then along part common boundary of village Pagar and Balia then through village Pagar and meets at point 'R'.

R—A line passes through villages Pagar then part common boundary of villages Pagar and Chatti Bariatu, Jarday and Chatti Bariatu then through village Jarday and meets at starting point 'A'.

[No. 43015/17/95-LSW]

P. L. SAINI, Under Secy.

### पेट्रोलियम और प्राकृतिक गैस भवालय

नई दिल्ली, 22 अगस्त, 1996

का. आ. 2283.—चंकि केन्द्रीय सरकार को यह प्रतीत होता है कि जनहित में यह आवश्यक है कि लिंगला ई.पी.एस. से मैसर्स विनार मिरेमिक्स आनंद प्रदेश राज्य तक पेट्रोलियम और प्राकृतिक गैस के परिवहन के लिए पाइपलाइन गैस अर्थाँण्टी और्फ़ हॉडिया लिमिटेड द्वारा बिलाई जानी चाहिए।

और चंकि यह प्रतीत होता है कि ऐसा साइन को बिलाने के प्रयोजनके लिए प्रत्येक अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, अब पेट्रोलियम और लनिज पाइपलाइन (जून में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 को उतारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एन्ड हारा घोषित करता है।

वक्तों कि उक्त भूमि में हिनबुद कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिलाने के लिए आशेप सक्षम प्राधिकारी, गैस अर्थाँण्टी और्फ़ हॉडिया लिमिटेड, राजमंडी, आनंद प्रदेश को इस अधिसूचना की तारीख से 21 विनों के भीतर कर सकेगा।

और ऐसा आशेप करने वाला हर व्यक्ति विनियिटेट: यक्ष शो कथन करेगा कि क्या वह जाहना है कि उसकी सुनवाई व्यक्तिगत हो या किनी विश्व व्यक्तियों की मार्फत।

[संख्या-एम-14016/6/96 जो. पो.]

अधीक्षद सेन, निदेशक

अनुसूची

## परिच्छेद 3 (1) विभिन्न

लिंगान ई.पो. यम बनार सिरामिस्क गैस पाथ प्लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	मर्वे नं.	धोरफल (हेक्टेर/ एकड़ में)	विवरण
1	2	3	4	5	6
कुण्डा	कुण्डलिल	पेरिकिंगड़ेम	887-भाग	0.0300	जि.पि.
			884-1 भाग	0.0850	
			-10 भाग	0.1900	
			878-2 भाग	0.0500	
			-1 फि भाग	0.2200	
			-1 फि भाग	0.0300	
			-1 फि भाग	0.3725	
			876- भाग	0.0300	जि.पि.
			870-4 भाग	0.0750	
			-5 भाग	0.0600	
			-6 भाग	0.1550	
			871-2 भाग	0.0050	
			-3 भाग	0.0150	
			-12 भाग	0.0400	
			-14 भाग	0.0750	
			856-2 भाग	0.1000	
			856-3 भाग	0.1150	
			855-भाग	0.0450	जि.पि
			852-1 भाग	0.0950	
			-2 भाग	0.1250	
			849-6 भाग	0.0100	
			850-1 भाग	0.0900	
			-2 भाग	0.0450	
			-3 भाग	0.0400	
			836-1 भाग	0.1800	
			836-6 भाग	0.0800	
			842-3 भाग	0.0400	
			841-5 भाग	0.0650	
			837-4 भाग	0.0400	
			837-5 भाग	0.1000	
			837-6 भाग	0.0450	
			837-7 भाग	0.0500	
			838-2 भाग	0.1750	
			838-3 भाग	0.0100	
			839-भाग	0.0400	
			825-1 वी भाग	0.0100	जि.पि
			825-2 भाग	0.1200	

1	2	3	4	5	6
कृष्णा	मैडबल्लि	परिकि गूडेम	825-3 भाग 826-भाग 822-1E भाग 822-1Bी भाग 807-भाग 812-9 भाग 812-2 भाग 812-3 भाग 809-1 भाग 809-2 भाग 810-3 भाग 808-भाग 608-भाग 607-भाग 605-भाग 595-1 भाग	0.0050 0.0900 0.0300 0.1000 0.1400 0.0300 0.0250 0.0600 0.1000 0.1250 0.0050 0.0450 0.3850 0.1725 0.0450 0.1600	जि.पि जि.पि जि.पि जि.पि जि.पि
			दोग	4.5750 या 11 एकड 29 सेट	

[स. रु. 14016/6/96-जि.पि.]

प्रधानमंत्री सेन, निवेशक

## MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 22nd July, 1996

S.O. 2283.—Whereas it appears to the Central Government that it is necessary in the public interest, that for the transport of Petroleum and Natural Gas from Lingala E.P.S. to M/s. Vennar Ceramics in A.P. State pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein:

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., Rajahmundry, A.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

## SCHEDEULE

## Lingala EPS to Vennar Ceramics Gas Pipe Line Project for

## Section 3 (i) Notification

District	Mandal	Village	Survey Nos.	Area (In Hect/Acres)	Remarks
1	2	3	4	5	6
Krishna	Mandavalli	Perikigudem	887/Part 884/4 Part 884/10 Part 878/2A Part 878/1C Part 878/1D Part 878/1E Part	0.0300 0.0850 0.1900 0.0550 0.2200 0.0300 0.3725	G.P.

1	2	3	4	5	6
		876/Part	0.0300	G.P.	
		870/4 Part	0.0750		
		870/5 Part	0.0600		
		870/6 Part	0.1550		
		871/2 Part	0.0050		
		871/3 Part	0.0150		
		871/12 Part	0.0400		
		871/14 Part	0.0750		
		856/2 Part	0.1000		
		856/3 Part	0.1150		
		855/Part	0.0450	G.P.	
		852/1 Part	0.0950		
		852/2 Part	0.1250		
		849/6 Part	0.0100		
		850/1 Part	0.0900		
		850/2 Part	0.0450		
		850/3 Part	0.0400		
		836/1A1	0.1800		
		Part			
		836/6 Part	0.0800		
		842/3 Part	0.0400		
		841/5 Part	0.0650		
		837/4 Part	0.0400		
		837/5 Part	0.1000		
		837/6 Part	0.0450		
		837/7 Part	0.0500		
		Total	2.7025		
Krishna	Mandavalli	Perigudem	838/2 Part	0.1750	
			838/3 Part	0.0100	
			839/Part	0.0400	G.P.
			825/1 B Part	0.0100	
			825/2 Part	0.1200	
			825/3 Part	0.0050	
			826/Part	0.0900	G.P.
			822/1A Part	0.0300	G.P.
			822/1B Part	0.1000	
			807/Part	0.1400	G.P.
			812/9 Part	0.0300	
			812/2 Part	0.0250	
			812/3 Part	0.0600	
			809/1 Part	0.1000	
			809/2 Part	0.1250	
			810/3 Part	0.0050	
			808/Part	0.0450	G.P.

1	2	3	4	5	6
			708/Part	0.3850	
			607/Part	0.1725	
			605/Part	0.0450	
			595/1 Part	0.1700	
			Total	1.8725	
			1st Page Total	2.7025	
			G. Total	4.5740	
				Or Ac. 11-29 cents.	

[No. L-14016/6/96-G.P.]

ARDHENDU SEN, Director

नई दिल्ली, 22 जुलाई, 1996

का.आ. 2284:—चूंकि केन्द्रीय सरकार को यह प्रतीत होता है कि जनहित में यह आवश्यक है कि लिंगला ई.पी.एस. में मस्से विनार सिरेमिक्स आन्ध्र प्रदेश राज्य तक पेट्रोलियम और प्राकृतिक गैस के परिवहन के लिए पाइपलाइन गैम अर्थात् टी एफ इंडिया लिमिटेड द्वारा बिछाई जानी चाहिए।

आंतर चूंकि यह प्रतीत होता है कि ऐसी लाइन को बिछाने के प्रयोजन के लिए एतद्वाबद्ध अनुसूची में अंगित भूमि में उपयोग का अधिकार अंजित करना आवश्यक है।

अतः, अब पेट्रोलियम और लग्निज पाइपलाइन (भूमि में उपयोग के अधिकार का अंजन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उसमें उपयोग का अधिकार अंजित करने का अपना आशय एतद्वारा घोषित करती है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, गैस अर्थात् टी एफ इंडिया लिमिटेड, राजमंडी, आन्ध्र प्रदेश को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

आंतर ऐसा आक्षेप करने वाला हर व्यक्ति विनिविष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी मुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की माफत।

## अनुमूल्य

लिंगला ई.पी.एस. वेन्नार

सिरामिक्स

परिच्छेद 3 (1) विज्ञप्ति

गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे/एकड़ में)	विवरण
कृष्णा	मुदिनेपल्लि	चिंगुरुकोट	371-भाग	0.0200	जीपी
			367-भाग	0.2650	
			योग	0.2850	या एकर सेंट 0.70

[सं. एल-14016/6/96-जी पी]

प्रधानमंत्री सेन, निदेशक

New Delhi, the 22nd July, 1996

S.O. 2284.—Whereas it appears to the Central Government that it is necessary in the public interest, that for the transport of Petroleum and Natural Gas from Lingala E.P.S. to M/s. Vennar Ceramics in A.P. State pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., Rajamundry, A.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

## SCHEDULE

### Lingala EPS to Vennar Ceramics. Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In Hect/Acres)	Remarks
Krishna	Mudinepalli	Chigurukota	371/Part 367/1 Part	0.0200 0.2650	G.P.
			Total	0.2850	Or Ac. 0-70 cents.

[No. L-14016/6/96-G.P]

ARDHENDU SEN, Director

नई दिल्ली, 22 जुलाई, 1996

का. आ. 2285.—यतः पैट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50') की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पैट्रोलियम एवं प्राकृतिक गैस अधिसूचना का.आ. 1345 तारीख 22-4-96 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

आर यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

आर आगे यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रवत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एवं द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एन्ड्रारा अर्जित किया जाता है।

आर आगे उम धारा की उपधारा (4) द्वारा प्रदत्त गतियों का प्रयोग करने हुए केन्द्रीय सरकार निर्वेश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय गैस अर्थात् आफ इण्डिया लि. में सभी वाधाओं में सुकृत रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

वाद-आमुसूची

## उ०प्र० पेट्रोकेमिकल्स परियोजना

जिला	तहसील	परगना	मोजा	गाटा संख्या	अंजित क्षेत्र एकड़ में	अन्य विवरण
1	2	3	4	5	6	7
इटावा	ओरेया	ओरेया	परवाहा	37 मि	0.06	
				38 मि	0.08	
				39 मि	0.02	
				53 मि	0.01	
				64 मि	0.32	
				65 नि	0.05	
				66 मि	0.25	
				67 मि	0.02	
				68 मि	0.08	
				73 मि	0.20	
				74 मि	0.17	
				82 मि	0.03	
				85 मि	0.20	
				86 मि	0.12	
				88 मि	0.15	
				89 मि	0.30	
				99 मि	0.09	
				100 मि	0.03	
				101 मि	0.02	
				105 मि	0.30	
				108 मि	0.04	
				109 मि	0.02	
				110 मि	0.05	
				111 मि	0.02	
				112 मि	0.02	
				116 मि	0.03	
				117 मि	0.02	
				128 मि	0.04	
				129 मि	0.10	
				130 मि	0.01	
				131 मि	0.10	
				31 किता	2.95 एकड़	

[सं. एल-14016/11/93-जी फी]

अधिकारी सेन, निवेशक

New Delhi, the 22nd July, 1996

S.O. 2285.—Whereas notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. 1345 dated 22-4-96 under sub-section (1) of section of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government,

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declare that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Limited free from encumbrances.

**SUPPLEMENTARY SCHEDULE**  
**U.P. PETROCHEMICAL PROJECT**

District	Tehsil	Pargana	Village	Plot No.	Acquired area in acres	Remarks
1	2	3	4	5	6	7
Etawah	Auraiya	Auraiya	Parwaha	37 Min	0.06	
				38 Min	0.08	
				39 Min	0.02	
				53 Min	0.01	
				64 Min	0.32	
				65 Min	0.05	
				66. Min	0.25	
				67 Min	0.02	
				68 Min	0.08	
				73 Min	0.20	
				74 Min	0.17	
				82 Min	0.03	
				85 Min	0.20	
				86 Min	0.12	
				88 Min	0.15	
				89 Min	0.30	
				99 Min	0.09	
				100 Min	0.03	
				101 Min	0.02	
				105 Min	0.30	
				108 Min	0.04	
				109 Min	0.02	
				110 Min	0.05	
				111 Min	0.02	
				112 Min	0.02	
				116 Min	0.03	
				117 Min	0.02	
				128 Min	0.04	
				129 Min	0.10	
				130 Min	0.01	
				131 Min	0.10	

31 Nos. 2.95 Acres [No. L-14016/11/93-GP.]

ARDHENDU SEN, Director

ग. नि. पत्र

नई दिल्ली, 22 जुलाई, 1996

का. आ. 2286.—भारत का राज्यका दिनांक 4-5-96 के पृष्ठ 1579, 1580, तथा 1581 पर प्रकाशित भारत सरकार के पेट्रोलियम गैस प्राप्तिक गैस मंत्रालय की खनिज पाइपलाईन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन जारी की गई अधिसूचना संख्या का. आ. 1345 दिनांक 22-4-96 ग्राम-परवाहा परगना व तहसील-शोरीथा, जिला-दिल्ली

की प्रकाशित सूची के स्वरूप 5 व 6 में निम्न प्रकार पढ़ा जाएः—

राज्यका में प्रकाशित		निम्नानुसार पढ़ा जाएः	
5	6	5	6
गांठासंख्या	धोर	गांठासंख्या	धोर
37 मि	0.10	37 मि	0.06
38 मि	0.05	38 मि	0.08
39 मि	0.01	39 मि	0.02

[संख्या द.ल-14016/11/93 डी.पी.]

अर्धेन्दु सेन, निदेशक

## CORRIGENDUM

New Delhi the 22nd July, 1996

S.O. 2286.—In the Gazette of India, Ministry of Petroleum and Natural Gas on page No. 1579, 1580, 1581 S.O. No. 1345 dated 22-4-96 published on 4-5-96 under sub section (i) of section 3 of the Petroleum and Mineral Pipeline (Acquisition of Right of Users in Land) Act, 1962 (50 of 1962) in respect of village Parwaha Teh. Auraiya Distt. Etawah be read as follows:—

As per Gazette		Be read as Corrected below	
Survey No.	Area in Acres	Survey No.	Area in acres
37 Min	0.10	37 Min	0.06
38 Min	0.05	38 Min	0.08
39 Min	0.01	39 Min	0.02

[No. L-14016/11/93 G.P.]

ARDHENDU SEN, Director

नई दिल्ली, 24 जुलाई, 1996

का. आ. 2287.—पेट्रोलियम और खनिज पाइपलाईन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अन्तर्गत पेट्रोलियम और प्राकृतिक गैस मंत्रालय के का. आ. संख्या 1596, दिनांक 26-05-95 द्वारा भारत सरकार की अधिसूचना द्वारा केन्द्रीय सरकार ने पाइपलाईन बिछाने के प्रयोजन से उक्त अधिसूचना के साथ संलग्न अनुसूची में वर्णित भूमि के उपयोग का अधिकार अर्जित करने संबंधी अपने आशय की घोषणा की थी।

और मकान प्राधिकारी ने उक्त अधिनियम की धारा-6 की उपधारा (i) के तहत अपनी गिरोह सरकार को प्रस्तुत कर दी थी।

श्रीर यह कि चूंकि केन्द्रीय सरकार ने उक्त गिरोह पर विचार करने के पास्थात् इस अधिसूचना में उपावन अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करने का निर्णय लिया है।

अतः अब केन्द्रीय सरकार एतद्वारा उक्त अधिनियम की धारा-6 की उपधारा (i) द्वारा प्रदत्त शक्तियों का उपयोग करते हुए घोषणा करती है कि इस अधिसूचना में उपावन अनुसूची में वर्णित उक्त भूमि में उपयोग के अधिकार का अर्जन एतद्वारा पाइपलाईन बिछाने के लिए किया है।

ग्रांट डेस्क के अतिरिक्त उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस अधिसूचना के प्रकाशन की तारीख से केन्द्रीय सरकार के स्थान पर सभी बालाशों से मुक्त गैस अथारिटी आफ इंडिया लिमिटेड में निहित होगा।

## अनुसूची

मम. एफ.सी.एन. टेप शाक में है, शार्ट डी पैरी लि. गैस पाई लाइन परियोजना

राज्य	जिला	तालुका	गांव	सर्वे नंबर	क्षेत्रफल
हेक्टे.में, एकड़ मेंटी में टिप्पणी					
पांचीनी	पोन्तीनी	कार्तिकल	20पेट्टी	4.2	0.11.0 0.29

[म. एल-14016 / 04/94-जी.पी.]

अर्धन्द सेन, निदेशक

New Delhi, the 24th July, 1996

S. O. 2287.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. 1596 Dated 26-5-95 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of user in land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government.

And further, whereas the Central Government has, after Considering the said report, decided to acquire

the right of user in the lands specified in the schedule appended to this notification.

Now therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule to this appended notification hereby acquired for laying the pipeline.

And further, in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

## SCHEDULE

## SFCL TAP OFF TO EID PARRY LTD. GAS PIPELINE PROJECT

State	District	Taluk	Village	Survey Number	Area			Remarks
					In Hectares	In Acre	Cent	
1	2	3	4	5	6	7	8	
Pondicherry	Pondicherry	Kartikal	20 Pettai	4.2	0.11.0	0.29		

[No. L-14016/04/94-G.P.]

ARDHENDU SEN, Director

नई दिल्ली, 24 जुलाई, 1996

का. आ. 2288.—पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की जागता (1) के अंतर्गत पेट्रोलियम और प्राकृतिक गैस गंतव्यालय के का. आ. संख्या 847/1597 दिनांक 7-3-96 / 26-5-95 द्वारा भारत सरकार की अधिसूचना द्वारा केन्द्रीय सरकार ने पाइपलाइन बिछाने के प्रयोजन में उक्त अधिसूचिना के माथ संलग्न अनुसूची में वर्णित भूमि के उपयोग का अधिकार अर्जित करने संबंधी अपने आशय की घोषणा की थी।

और मध्यम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (i) के तहत अपनी रिपोर्ट सरकार को प्रस्तुत कर दी थी।

और यह कि चूंकि केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात इस अधिसूचना में उपावद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करने का निर्णय लिया है।

अतः अब केन्द्रीय मरकार एनदारा उक्त अधिनियम की धारा-6 की उपाधार (i) द्वारा प्रदत्त जक्कियों का उपयोग करने द्वारा घोषणा करती है कि इस अधिसूचना में उपाखण्ड अनुसूची में वर्णित उक्त भूमि में उपयोग के अधिकार का अर्जन एनदारा पाइपलाईन बिलाने के लिए किया है।

आंग इसके अनिवार्यत उक्त धारा की उपाधार (i) द्वारा प्रदत्त जक्कियों का प्रयोग करने द्वारा केन्द्रीय मरकार निर्देश देती है कि भूमि में उपयोग का अधिकार इस अधिसूचना के प्रकाशन की तारीख से केन्द्रीय मरकार के स्थान पर सभी व्याधियों से मुक्त गैस अर्थात् आँक इंडिया लिमिटेड में निर्दित होगा।

अनुसूची

एम. एफ. सी. प्ल. ट्रैप ऑफ मे ई. आई. डी. रेस गैस पार्कप लाइन परियोजना

राज्य	ज़िला	तालूक	गांव	मर्दे नम्बर	क्षेत्रफल		टिप्पणी
					हेक्टे. में	एकड़ मेंटी. में	
पोन्तीचैर्नी	दोन्दा वैरा	कराईकल	19-गैल्य	3. 2	0. 00. 5	0. 01	
				3. 3	0. 06. 5	0. 16	
				3. 4	0. 01. 5	0. 01	
				4. 2	0. 19. 5	0. 48	
				5. 2	0. 03. 0	0. 08	
				5. 4	0. 05. 5	0. 14	
				27. 13	0. 04. 0	0. 10	
				27. 14	0. 14. 0	0. 35	
				26. 2	0. 02. 0	0. 05	
				26. 3	0. 04. 5	0. 11	
				26. 5	0. 00. 5	0. 01	
				21. 4	0. 13. 5	0. 33	
				22. 1	0. 00. 5	0. 01	
				22. 3	0. 04. 5	0. 11	
				22. 7	0. 00. 5	0. 01	
				22. 8	0. 01. 0	0. 02	
				22. 9	0. 01. 5	0. 04	
				22. 10	0. 01. 0	0. 02	
				22. 11	0. 01. 5	0. 04	
				23. 1	0. 01. 0	0. 02	
				23. 20. 1	0. 04. 0	0. 10	
				23. 20. 2	0. 05. 0	0. 12	
				23. 3	0. 04. 5	0. 11	
				24. 10	0. 06. 0	0. 15	
				24. 11	0. 07. 0	0. 17	
				17. 2	0. 01. 0	0. 02	
				48. 1	0. 05. 5	0. 14	
				48. 4	0. 01. 5	0. 04	
				48. 9	0. 04. 0	0. 10	
				49. 2	0. 03. 5	0. 09	
				49. 4	0. 05. 5	0. 14	
				51. 4	0. 07. 5	0. 18	

1	2	3	4	5	6	7	8
				54.2	0.19.5	0.48	
				61.1	0.01.0	0.02	
				60.1	0.05.5	0.14	
				60.5	0.06.0	0.15	

[सं. नं. - 14016/04/94-वि. फ्र.]

अर्वदु मेन, निदेशक

New Delhi, the 24th July, 1996

S. O. 2288.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. 847/1597 Dated 7-3-96/26-5-95 under sub-section (1) of section 3 of the petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government.

And further, whereas the Central Government has, after Considering the said report, decided to acquire

the right of user in the lands specified in the schedule appended to this notification.

Now therefore, in exercise of the power conferred by sub-section (1) of the section of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule to this appended notification hereby acquired for laying the pipeline.

And further, in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

## SCHEDE

## SFCL TAP OFF TO E.I.D. PARRY LTD., GAS PIPE LINE PROJECT

State	District	Taluk	Village	Survey Number	Extent							
					1	2	3	4	5	6	7	8
Pondicherry	Pondicherry	Karikal	18 Sellur	3.2	0.00.5	0.01						
				3.3	0.06.5	0.16						
				3.4	0.01.5	0.04						
				4.2	0.19.5	0.48						
				5.2	0.03.0	0.08						
				5.4	0.05.5	0.14						
				27.1A	0.04.0	0.10						
				27.1B	0.14.0	0.35						
				26.2	0.02.0	0.05						
				26.3	0.04.5	0.11						
				26.5	0.00.5	0.01						
				21.4	0.13.5	0.33						
				22.1	0.00.5	0.01						
				22.3	0.04.5	0.11						
				22.7	0.00.5	0.01						
				22.8	0.01.0	0.02						
				22.9	0.01.5	0.04						
				22.10	0.01.0	0.02						
				22.11	0.01.5	0.04						
				23.1	0.01.0	0.02						

1	2	3	4	5	6	7	8
Pondicherry	Pondicherry	Karaikal	18 Sellur	23.2A1	0.04.0	0.10	
				23.2A2	0.05.0	0.12	
				23.3	0.04.5	0.11	
				24.10	0.06.0	0.15	
				24.11	0.07.0	0.17	
				17.2	0.01.0	0.02	
				48.1	0.05.5	0.14	
				48.4	0.01.5	0.04	
				48.9	0.04.0	0.10	
				49.2	0.03.5	0.09	
				49.4	0.05.5	0.14	
				51.4	0.07.5	0.18	
				54.2	0.19.5	0.48	
				61.1	0.01.0	0.02	
				60.1	0.05.5	0.14	
				60.5A	0.06.5	0.15	

[No. L-14016/04/94-G.P.]

ARDHENDU SEN, Director

नई दिल्ली, 24 जुलाई, 1996

का. आ. 2289:—दोदोलियम और यनिज पाइपलाइन (भूमि के उपर्यान के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा-3 की उपधारा (1) के अन्तर्गत पेट्रोलियम और प्राकृतिक गैस भूमालय के का. आ. संख्या 1598, दिनांक 26-5-95 द्वारा भारत सरकार की अधिसूचना द्वारा केन्द्रीय सरकार ने पाइपलाइन विद्याने के प्रयोजन से उक्त अधिसूचना के साथ संभग अनुसूची में वर्णित भूमि के उपयोग का अधिकार अर्जित करने संबंधी अपने आशय की घोषणा की थी।

और गक्षम प्राधिकारी ने उक्त अधिनियम की धारा-6 की उपधारा (1) के तहत अपनी रिपोर्ट सरकार वो प्रस्तुत कर दी थी।

और यह कि कूंकि केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में उपाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करने का निर्यय दिया है।

ग्रन्त: अब, केन्द्रीय सरकार एतद्वारा उक्त अधिनियम की धारा-6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का उपयोग करने हुए घोषणा करते हैं कि इस अधिसूचना में उपाबद्ध अनुसूची में वर्णित उक्त भूमि में उपयोग के अधिकार का अर्जन एतद्वारा पाइपलाइन विद्याने के लिए किया है।

और इसके अतिरिक्त उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस अधिसूचना के प्रकाशन की तारीख से केन्द्रीय सरकार के स्थान पर मसी बाधाओं से मुक्त रूप से अर्थीर्दा आंफ इंडिया लिमिटेड में निर्हित होगा।

#### अनुसूची

एस. एफ. सी. एल. टेप आंफ में ई. आई. डी. पैरी लि. गैस पाइप लाइन परियोजना

राज्य	ज़िला	तालुका	गांव	मक्के नम्बर	क्षेत्रफल	टिप्पणी	
1	2	3	4	5	हेक्टर में	एकड़ सेंटी में	8
पोन्डिचेरी	पोन्डिचेरी	कराइकल	17 अन्नानगड़ी	146.2	0.08.5	0.21	
				146.3	0.02.0	0.05	
				146.4	0.02.0	0.05	

1	2	3	4	5	6	7	8
				146.5	0.03.0	0.07	
				147.4	0.03.0	0.07	
				147.5	0.07.0	0.17	
				151.1	0.08.0	0.20	
				151.2	0.09.0	0.22	
				152.3	0.07.0	0.17	
				174.3	0.16.0	0.39	
				173.3	0.05.0	0.12	
				173.4	0.05.0	0.12	
				173.5	0.00.5	0.01	

[सं. एल-14016/04/94-जी.पी]

अर्धेन्दु सेन, निदेशक

New Delhi, the 24th July, 1996

S. O. 2289.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. 1598 Dated 26-5-95 under sub-section (1) of section 3 of the petroleum and Minerals Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government.

And further, whereas the Central Government has,

after Considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule to this appended notification hereby acquired for laying the pipeline.

And further, in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

## SCHEDULE

## SFCL TAP OFF to E.I.D. PARRY LTD., GAS PIPE LINE PROJECT

State	District	Taluk	Village	Survey Number	Extent			Remarks
					5	6	7	
1	2	3	4					8
Pondicherry	Pondicherry	Karaikal	17 Then-nangudy	146.2	0.08.5	0.21		
				146.3	0.02.0	0.05		
				146.4	0.02.0	0.05		
				146.5	0.03.0	0.07		
				147.4	0.03.0	0.07		
				147.5	0.07.0	0.17		
				151.1	0.08.0	0.20		
				151.2	0.09.0	0.22		
				152.3	0.07.0	0.17		
				174.3	0.16.0	0.39		
				173.3	0.05.0	0.12		
				173.4	0.05.0	0.12		
				173.5	0.00.5	0.01		

[No. L-14016/04/94-G P]

ARDHENDU SEN, Director

## ग्रामीण क्षेत्र और नियन्त्रण मंत्रालय

(ग्रामीण विकास विभाग)

नंड दिल्ली, 17 अगस्त, 1996

का.आ. 2290.—सौफ़, मेधी और सैलरी सैलिंग श्रेणीकरण और चिन्हांकन नियमों का निम्नलिखित प्रारूप, जिसे केन्द्रीय सरकार कृषि उपज (श्रेणीकरण और चिन्हांकन) अधिनियम, 1937 (1937 का 1) की धारा 3 द्वारा प्रदत्त व्यक्तियों का प्रयोग करते हुए और (साबूत और पिसी हुई) मेधी (साबूत और पिसी हुई) सौफ़ और सैलरी सैल (साबूत) श्रेणीकरण और चिन्हांकन नियम, 1967 की उन बासों के मिवाय अविक्रीत करते हुए, जिन्हें ऐसे अधिकमय में पहले किया गया है, या करने से लोप किया गया है, उक्त धारा को अविक्रीतमार ऐसे सभी व्यक्तियों की अनिकारी के लिए, जिनके उसे प्रभावित होने का सामाजिक है यह भूचना दी जाती है। कुछ प्रारूप नियमों पर, उक्त नारोंमें से, जिसने उस राजस्व को प्रतिवा जिसको यह अविक्रीत प्रकाशित की जाती है, उसका को उन्नत्य करा रहा जाता है, 45 दिन की अवधि के पश्चात् विवार किया जाएगा।

उक्त प्रारूप नियमों को बावत कोई सुझाव या अधोरूप करने का इच्छुक कोई अधिकार इस प्रकार विनिर्दिष्ट अवधि के भोतर उसे केन्द्रीय सरकार के विचार के लिए, कृषि विवरण संबंधी भारत सरकार, विषय और निरीदण नियोजनाय, धारा 1 विधायक, एन.डी.-4 फरीदाबाद-121001 को भेज सकेगा।

## प्रारूप नियम

1. संक्षिप्त नाम और लागू होना:—(1) इन नियमों का संक्षिप्त नाम सौफ़ (साबूत और पिसी हुई) मेधी (साबूत और पिसी हुई) और सैलरी सैल (साबूत) श्रेणीकरण और चिन्हांकन नियम, 1996 है। (2) ये सौफ़ (फीनी कुलम बल्मेरी, मिल) साबूत और चूर्णकृत मेधी (द्राई मोनेला फोनम थ्रोकन-हैल) (साबूत और चूर्णीकृत और तैलगी बोंड) (प्रिंटर थ्रोविंगेन्ट-एल) साबूत को लागू होंगे।

2. परिभाषा:—इन नियमों में, जब तक कि संदर्भ से अन्यथा अनेकित न हो:—

- (क) "कृषि विवरण सलाहकार" से भारत सरकार का कृषि विषय सलाहकार अभियोग है;
- (ख) "प्राधिकृत पैकर" से अभियोग है ऐसा व्यक्ति या व्यक्तियों का निकाय, जिसे इन नियमों के अधीन विहित श्रेणीकरण मानक और प्रतियोगी के अनुसार वस्तु का श्रेणीकरण और चिन्हांकन करने के लिए प्राधिकृत करते हुए साधारण श्रेणीकरण और चिन्हांकन नियम, 1988 के अधीन विहित गतिशील के अधीन रहते हुए आवश्यक अनुज्ञा अनुदत्त की गई है;

(ग) "प्राधिकृत प्रमाणपत्र" से किसी व्यक्ति या व्यक्तियों के निकाय की श्रेणी अभिधान चिन्ह का किसी वस्तु का श्रेणीकरण और चिन्हांकन करने के लिए प्राधिकृत करते हुए साधारण श्रेणीकरण और चिन्हांकन नियम, 1988 के उपर्योगों के अधीन जारी किया गया प्रमाणपत्र अभियोग है;

(घ) "अनुसूची" से इन नियमों से संलग्न अनुसूची अभियोग है।

3. श्रेणी अभिधान:—किसी वस्तु की क्वालिटी को उपदर्शित करने के लिए श्रेणी अभिधान अनुसूची 2 से 6 के स्तरम् (1) में दो जाएगी।

4. क्वालिटी की परिभाषा:—विभिन्न श्रेणी अभिधानों द्वारा उपदर्शित क्वालिटी और साधारण लक्षण वे होंगे जो सौफ़ (बोंड), साबूत और पिसी हुई (चूर्ण) के लिए अनुसूची 2 और 3 के स्तरम् 2 से 8, मेधी साबूत और पिसी हुई (चूर्ण) के लिए अनुसूची 4 और 5 के स्तरम् 2 से 7 और सैलरी सैल के सिए अनुसूची 6 के स्तरम् 2 से 5 के समान में प्रत्येक श्रेणी अभिधान के समान या उपर्योगित है।

5. श्रेणी अभिधान चिन्हांकन:—श्रेणी अभिधान चिन्ह में निम्नलिखित होगा:—

- (i) एक लेबल जिस पर वस्तु का नाम, श्रेणी अभिधान, फिलिंडिट होगा और उस पर अनुसूची 1-क में दिए गए डिजाइन के सदृश एक डिजाइन होगा जिसमें "एगमार्क" शब्द के साथ भारत के मानकित का रेखांशित के साथ उदय होते हुए सूर्य का चित्र होगा, या
- (ii) "एगमार्क" प्रतिकृति जिसमें प्राधिकार प्रमाणपत्र का संखांक अभियोग करते हुए डिजाइन "एगमार्क" शब्द वस्तु का नाम, श्रेणी अभिधान देता और उसके सदृश होगा जैसा अनुसूची 1-क में दिया गया है:

परन्तु एगमार्क लेबल के बदले में एगमार्क प्रतिकृति का उपयोग केवल ऐसे प्राधिकृत वैकरों के लिए अनुशासन होगा जिसे कृषि विषय सलाहकार या इस तरंग में उसके द्वारा प्राधिकृत किसी अधिकारी द्वारा और साधारण श्रेणीकरण चिन्हांकन नियम, 1988 के अधीन विहित गतिशील के अधीन रहते हुए आवश्यक अनुज्ञा अनुदत्त की गई है।

## 6. चिन्हांकन की पद्धति:—

- (1) श्रेणी अभिधान चिन्ह मजबूती से प्रत्येक आधार पर निपटाया जाएगा या स्पष्ट रूप से और अमिट स्थानी से मुद्रित किया जाएगा;

(2) श्रेणी अभिधान के अनिवार्य निम्नलिखित विशिष्टियां प्रत्येक आधान पर स्पष्ट स्था में और अमिट स्थानी में चिन्हांकित की जाएँगी;

- (i) पैक करने वाले का नाम और पता,
- (ii) जो करने का स्थान,
- (iii) मासम और वर्ष में पैक करने की तारीख,
- (iv) लाट/बैच मध्यांक,
- (v) गुद भाग,
- (vi) कीमत।

(3) कोई प्राधिकृत पैकर कूप विषय सलाहकार या इस निमित्त प्राधिकृत अधिकारी के पूर्णांमोदन से श्रेणीकृत पैकेज पर अपना निजी आपार चिन्ह या अपार ग्राण्ड चिपकाएँगा परन्तु यह कि इस क्वालिटी में जो श्रेणीकृत पैकेजों पर श्रेणी अभिधान चिन्ह द्वारा उपदर्शित की गई है, भिन्न नहीं होगा।

7. पैक करने की पद्धति:—

- (1) श्रेणीकृत वस्तुएं स्वच्छ, ठास और गुणक आधानों में जैसे जट थैले, कपड़े के थैले, ब्यूटियैलों, कागज की थैलियों, पार्टिशनलीन पटलित पाउचेज, गने के डिव्हॉ टिन/काच/लास्टिक आधानों, लकड़ी के मंजूश या किसी अन्य गेंगी सामग्री में जो केता डाग अपेक्षित हो और/या कूप विषय सलाहकार या इस निमित्त उसके डाग प्राधिकृत किसी अधिकारी डाग अनुमोदित सामग्री में बने आधानों से पैक किए जायेंगे। परन्तु यह कि वे सामग्री चाल थेणी में बर्नी हों।
- (2) जट के थैलों, कपड़े के थैलों, गने के डिव्हॉ आदि में सामग्री को एक करने में उपयुक्त जलरोधी तहों का उपयोग किया जाएगा।
- (3) आधान कोट ग्रसन, फफ्टी लंडूपण हालिकारक पदार्थ या कि अवांछनीय या अप्रियगंध में सक्त होंगे।
- (4) प्रत्येक पैकेज में किसी एक श्रेणी अभिधान की श्रेणी कृत सामग्री होगी, श्रेणीकृत सामग्री वाले वैमे ही लाट उपयुक्त संख्या में छोटे पैक वहन वहे अपदान में पैक किए जा सकेंगे।

परन्तु यह कि किसी एक वहन वहे आधान में विभिन्न वस्तुओं के उपयोगता पैकों को सभी पैकिंग विदेशी क्रेनों को विशिष्ट आवश्यकता के लिए अनुमति की जा सकेंगी और इस गति के अधीन कि प्रत्येक उपभोक्ता पैक पर उत्तिर श्रेणी अभिधान चिन्ह लगा होगा और उसके विवरण वहने वहे आधान पर बोन्ड कर विपकार गए लेबल पर उपदर्शित किए जाएंगे।

(5) प्रत्येक आधान मजबूती से बद किया जाएगा और उस रूप में महावन्द किया जाएगा जो कूप विषय सलाहकार द्वारा अनुमोदित की जाए।

8. प्राधिकार प्रमाण पत्र की विषेष शर्तें:—

माधारण श्रेणीकरण और चिन्हांकन नियम, 1988 के नियम 3 के उपनियम (8) में विनिर्दिष्ट शर्तों के अतिरिक्त- इस नियम के अधीन सौफ (साबूत और पिसी हुई), मेंथी (साबूत और पिसी हुई) जो मैनेरी सीड श्रेणीकरण और चिन्हांकन के लिए प्राधिकार प्रमाण-पत्र प्रदान करने के लिए निम्नलिखित अनिवार्य शर्तें होंगी अर्थात्:—

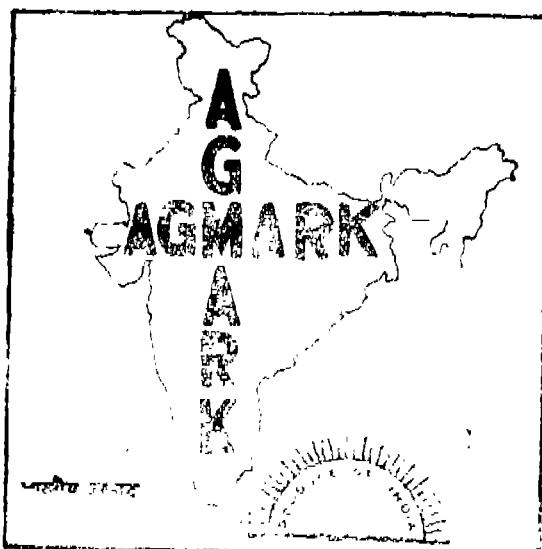
(1) प्राधिकृत पैकर, सौफ (साबूत और पिसी हुई), मेंथी (साबूत और पिसी हुई) और मैनेरी सीड की ब्यालिटी के परीक्षा के लिए या तो स्वयं किसी अधिकारी द्वारा नियक्ति जिसे कृपि विषय सलाहकार या इस निमित्त उसके डाग प्राधिकृत किसी अधिकारी द्वारा अनुमोदित किया गया हो, प्रयोगशाला स्थापित करेगा या इस प्रयोगशाल के लिए अनुमोदित जिसी वाणिज्यिक प्रयोगशाला या राज्य श्रेणीकरण प्रयोगशाला में संपर्क करेगा।

(2) प्रसंकरण श्रेणीकरण और पैक करने के लिए गरमरों को पूर्णतया स्वास्थ्यप्रद और स्वच्छ दण्डाओं के रखा जाएगा;

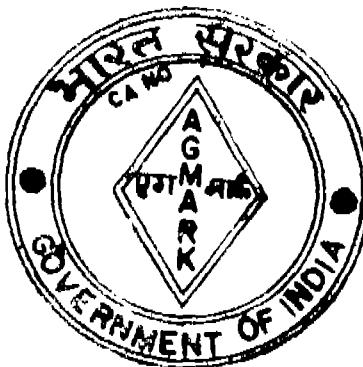
(3) इन प्रक्रियाओं में लगे कार्मिक अचले स्वास्थ्य और किसी संकामक रोग में सुक्त होंगे।

अनुसूची—1क

[नियम 5 (i) देखिए]  
एगमार्क लेबल का डिजाइन



अनुमूली—१४

[नियम 5(ii) देखिए]  
प्रग्मार्क प्रतिकृति वा डिजाइन

वस्तु का नाम

शेणी

अनुमूली २

(नियम 3 और 4 देखिए)

वेनल मीडस (सोफ) का शेणी अभियान और उसकी क्रान्तिकारी की परिभाषा

क्रान्तिकारी की परिभाषा

शेणी	विशेष लक्षण					
अभियान	कार्बनिक वाष्प पदार्थ (भार के पदार्थ (भार के आधार पर प्रति- शता प्रधिकरण ) प्रतिशता प्रधिकरण )	कार्बनिक वाष्प ओर कोड डाया प्रतिशता प्रधिकरण )	क्षति, काले पड़े छोड़े गए बीज (भार के आधार पर प्रति- शता प्रधिकरण )	मिक्कुड़े हुए और नमी (भार के आधार वीज छोड़े गए बीज (भार के आधार पर प्रति- शता प्रधिकरण )	नमी (भार के आधार वीज शता प्रधिकरण )	मिक्कुड़े हुए और नमी (भार के आधार पर प्रति- शता प्रधिकरण )
1	2	3	4	5	6	7
विशेष	0.25	1.5	1.50	2.00	10.00	1.00
प्रकृति	0.5	2.5	3.00	4.00	10.00	1.00
माध्यरेत्र	1.5	3.5	5.00	6.00	10.00	1.00
अविनिर्दिष्ट						

स्पष्टीकरण : अविनिर्दिष्ट यह नियमित शेणी नहीं है। इसका उपयोग केवल को उन अवेक्षानों को पूछ करने के लिए किया गया है जो किसी भी नियमित शेणी के अनुरूप नहीं आते हैं इसे केवल कोड डाया विर्ति शेणोरण के लिए अवेक्षित क्रान्तिकारी और मात्रा उपर्युक्त करने हुए बिंग गए किसी विशेष प्रादेश के विशेष ग्रन्ति किया जाएगा।

माध्यरेत्र लक्षण

8

सोफ बीज

(क) बनस्पति गाढ़ गे फौनिक्युलम व्यापार, निवास के नाम से प्राप्त पौधों के मूर्ख हुए परिषेव फल होंगे;

(द) दृण काली, जालिन फौटो, किनी हानिकारक विजातीय पदार्थ और दृश्यन्ध में मृत होंगे;

(ग) साधारण किस्म/प्रकार के लक्षण सूचक माप, आकार, रंग, स्वाद और सुवास के अनुरूप होंगे;

(घ) अफलाटो किस्म अंतर्वेस्तु धारिक संदूषक और कोट्टाणी अविश्विष्ट के संबंध में खाद्य अपमिश्न निवारण नियम, 1955 में यथाविहित निवन्धनों का अनुपालन किया जाएगा।

परिभाषा : 1. "अकार्बनिक वाह्य पदार्थ" से धूल, गन्दी, पत्थर, मिट्टी या कोई अन्य अकार्बनिक विजातीय पदार्थ अभिप्रेत है।  
 2. "कार्बनिक वाह्य पदार्थ" से भूमि, वृक्ष, तने, तिनके, अन्य बीज या कोई अन्य कार्बनिक विजातीय पदार्थ अभिप्रेत है।  
 3. "धूस और कासे पड़े बीज" वे फल होते हैं, जो ऐसे धूस या कासे पड़े हुए हों कि उनमें खालिटी पर तात्त्विक प्रभाव पड़ता हो।  
 4. "कीट द्वारा छोड़े गए बीज" वे फल होते हैं जो चुन या अन्य कोट्टों द्वारा भागतः या पूर्णतः छोड़े गए या खाए गए हों।  
 5. "सिकुड़े हुए और अपरिपक्व बीज" वे फल होते हैं जो अच्छी तरह विकसित नहीं हुये हों।

### अनुसूची—3

(नियम 3 और 4 देखिये)

सौंफ पाउडर का श्रेणी अभियान और खालिटी की परिभाषा

### खालिटी की परिभाषा

#### विशेष लक्षण

श्रेणी अभियान	नमी भार द्वारा प्रतिशत (अधिकतम)	कुप भूमि भार द्वारा प्रतिशत (अधिकतम)	अन्य अविवेय प्रतिशत अन्य भार द्वारा प्रतिशत न्यूनतम (सी यूल्य.) (अधिकतम)	वाष्णवशेत तेज प्रतिशत न्यूनतम (सी यूल्य.)	उधार्यशोध तंत्र भाहे वह शुक्र भार के आधार पर निष्कर्पित किया गया ही भार के अनुसार प्रतिशत (न्यूनतम)	प.टी.कल माई
मासक		10.8	9.0	1.5	1.0	10.0 सामग्री को 500 माइक्रोन छलनी के भाष्यम से छाना जाएगा

### अविनियिष्ट

स्पष्टीकरण : अविनियिष्ट :—यह नियमित श्रेणी नहीं है। इसका उपर्युक्त केता को उन अपेक्षाओं को पूरा करने के लिये किया गया है जो किसी भी नियमित श्रेणी के अतर्गत नहीं आते हैं। इसे केवल केता द्वारा निर्यात श्रेणीकरण के लिए अपेक्षित खालिटी और माला उपर्युक्त करते हुए विषय गए किसी विशिष्ट आदेश के विरुद्ध अनुकात किया जायेगा।

### साधारण लक्षण

8

(क) सौंफ (फेनिक्युलम वस्तारे अमल) पाउडर सखे, पके, साफ और अच्छे साकृत सौंफ कलों को पीस कर प्राप्त किया हुआ पदार्थ होगा। वह अप्रिमिश्रित से मुक्त, फूँकी, कोट्टाणन या फूँकी गंध से मुक्त होगा।  
 (ख) वह स्थल-कक्षणों से मुक्त होगा और इतना बारीक पिसा हुआ होगा कि वह पूरा का पूरा 580 माइक्रोन छलनी में से निकल जायेगा।  
 (ग) यह विकृत गंधता, अप्रसुचिकर और दंडिका संदूषण से मुक्त होगा।  
 (घ) यह विजातीय सामग्री और मरिरंजित सामग्री से मुक्त होगा।  
 (ङ) अफलाटोक्सन अंतर्वेस्तु धारिक संदूषक और कीटनाशी अविश्विष्ट के संबंध में खाद्य अपमिश्न निवारण नियम, 1955 में यथाविहित निवन्धनों का अनुपालन किया जाएगा।

(नियम 3 और 4 देखिए)

फैलर्सिक संड (सेर्वी) का श्रेणी अधिकार और उसकी क्षालिटी की परिभाषा

श्रेणी अधिकार

क्षालिटी की परिभाषा

विशेष लक्षण

कार्बनिक वायु पदार्थ भार के आधार प्रतिशतता (अधिकतम)	कार्बनिक वायु पदार्थ भार के आधार पर प्रतिशतता (अधिकतम)	क्षात, काले पड़े और काट द्वारा छोड़े गये बीज भार के आधार पर प्रतिशतता (अधिकतम)	सिकुड़े हुए और उपरिपक्व बीज भार के आधार पर प्रतिशतता (अधिकतम)	तभा (भार के आधार पर प्रतिशतता (अधिकतम)
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1	2	3	4	5	6
विशेष	0.25	0.5	0.5	1.5	10.0
अच्छी	0.5	1.5	1.0	3.0	10.0
साधारण	1.0	2.5	2.5	5.0	10.0
*प्रविनिर्दिष्ट					

**स्पष्टीकरण : प्रविनिर्दिष्ट :** यह नियमित श्रेणी नहीं है। इसका उपर्युक्त केता को उन अवधारों को पूरा करने के लिये किया गया है जो किसी भी नियमित श्रेणी के अन्तर्गत नहीं आते हैं इसे केवल केता वारा नियमित श्रेणीकरण के लिये प्रयोक्तित क्षालिटी और मात्रा उत्पादित करने हुए दिये गये किसी विशिष्ट ग्रामेश के विरुद्ध अनुशासन किया जायेगा।

साधारण सक्षण

7

मेरी बीज :

- धनस्पति शास्त्र म ट्रिगोनेल फॉल्यूप्रेक्टम इन के नाम से ज्ञात पौधे के गूच्छे हुए परिपक्व बीज होंगे;
- दृश्य फूलदी जीविम कीटों, किसी हानिकारक विजातीय पदार्थ और दूषण से मुक्त होंगे;
- साधारण किस्म/प्रकार के लक्षण, सूक्ष्म साप, आकार, रंग स्वाद और सूक्ष्म के अनुभा होंगे;
- यह विकृत गंधता, उपस्थित और दंडिका संदूषण से मुक्त होंगे;
- यह विजातीय सामग्री और अतिरंगित सामग्री से मुक्त होंगे;
- अफलटीसिन अन्तर्वस्तु, धात्विक संदूषण और कोटनाशी फल जट के संबंध में खाद्य अपमिश्रण नियांरण नियम, 1955 में व्याविहित नियन्त्रणों का अनुपालन किया जायेगा।

परिभाषा :-

- “अकार्बनिक वायु पदार्थ” से भून, गन्धगी, पत्थर, मिट्टी या कोई अन्य अकार्बनिक विजातीय पदार्थ अनिवार्य है।
- “कार्बनिक वायु पदार्थ” से भूसी, बूत, तने, फिनके, अन्य बीज या कोई अन्य अकार्बनिक विजातीय पदार्थ अनिवार्य है।
- “क्षत और काले पड़े बीज” वे कल होते हैं, जो ऐसों क्षत या काले पड़े हुए होंकि उससे क्षालिटी परतातिक प्रभाव पड़ता हो।
- “कीट द्वारा छोड़े गये बीज” वे कल होते हैं, जो धून या अन्य कीटों द्वारा भागते या पूर्णतः छोड़े गये या खाए हुए हों।
- “सिकुड़े हुए और उपरिपक्व बीज” वे यस होते हैं जो अच्छी तरह विकसित नहीं हुए हों।

अनुसूची- 5

(नियम 3 और 4 देखिए)

मेर्या पाउडर का श्रेणी अधिकार और क्वालिटी की परिभाषा

श्रेणी अधिकार

क्वालिटी की परिभाषा

म

विशेष लक्षण

नमी भार द्वारा प्रतिशत (अधिकतम)	कुल भस्म भार द्वारा प्रतिशत (अधिकतम)	अम्न-अविलेय भस्म भार प्रतिशत (अधिकतम)	कुल शीतल जल विलेय सरद भार द्वारा प्रतिशत (न्यूनतम)	अपरिष्कृत फाइबर पर गुण आधार पर भार द्वारा प्रतिशत (अधिकतम)	म
1	2	3	4	5	6
भानक अधिनिर्दिष्ट	10.6	7.0	2.0	30.0	18.0

स्टार्टकरण :

अविनिर्दिष्ट :— यह नियमित श्रेणी नहीं है। इसमें उपबंध केना को उस अपेक्षाओं को पूरा करते के लिये किया गया है जो किसी भी नियमसंबंधी के अन्तर्में नहीं आते हैं इसे केवल वैता द्वारा निर्धारित श्रेणीकरण के लिये अपेक्षित क्वालिटी और मात्रा उपर्युक्त करते हुए दिये गये किसी विशेष आवेदन के विरह अनुज्ञात किया जायेगा।

साधारण लक्षण

7

1. मेर्या पाउडर, सूखे, पके, साफ और अच्छे साकृत मेर्या बीजों (द्रेगोला कोएड्यूलेटेड एल) को पीसकर प्राप्त किया हुआ पदार्थ होगा। वह अधिमिश्रण से मुक्त, फॉर्मूला, कीटग्रसन या फॉर्मूला गंध से मुक्त व स्थूलकणों से मुक्त होगा और इनमा बारीक पिसा हुआ होगा जिसका पूरा 500 माल्कोन की छाननी भैंसे निकल जाये।

(क) यह विद्युतगंधता, अपनार्दिकर और इंडिका भंडवण से मुक्त होगा।

(ख) यह विजार्तीय सामग्री और अतिरिक्त जामग्री से मुक्त होगा।

(ग) अफलाटेक्सिन अन्तर्वस्तु, धार्तिक नतुरेक और कॉटनार्सी असिष्ट के संबंध में खाली अधिमिश्रण निवारण नियम, 1955 में संपादित निवन्धनों का अनुपालन किया जाएगा।

अनुसूची- 6

(नियम 3 और 4 देखिए)

संवरी धारा का श्रेणी अधिकार और उसकी क्वालिटी की परिभाषा

क्वालिटा की परिभाषा

विशेष लक्षण

वाल्य पदार्थ (भार के अधार पर प्रतिशतता)	क्षत और खाली योग्यता	तर्मी (भार के आधार पर प्रतिशतता)	साधारण लक्षण
अधिकतम	द्वारा प्रतिशतता)	अधिकतम	प्रतिशतम
1	2	3	4
विशेष	0.5	1.5	10.00
अच्छी	1.5	2.5	10.00
साधारण	3.0	3.0	10.00
*अधिनिर्दिष्ट			
			संसरी धारा :—
			(क) वनस्पति ग्रास्त में ग्राम्य ग्रेवोलेस्ट इलूके, नाम से जात धौधे के सूखे हुए परिकल्प फल होंगे;
			(ख) दूध कॉर्दो, जीवित या मृत कर्दो, विहीन द्वानकारी विजातर्थ पदार्थ और तुरीब से मुक्त होंगे;
			(ग) साधारणतः किलम/प्रकार के लकड़ सूचक माप

आकार, रंग स्वास के अनुरूप होगा;

(प) यह बिल्ड गंधता, अपसुरविकार और वंडिला संदूषण से मुक्त होगा;

(क) यह विज्ञातीय सामग्री और अतिरिक्त सामग्री से मुक्त होगा;

(च) अफलाटोकिसम अंतर्वल वालिय संदूषण और कोटमाशी अवशिष्ट के संबंध में आदा अपविश्वास निवारण नियम, 1955 में धाराविहित नियन्त्रणों का अनुपालन किया जायेगा।

#### स्पष्टीकरण :—

\*प्रविनिविष्ट :—यह नियमित श्रेणी नहीं है। इसका उपयन्ध जेता को उन प्रवेशार्थी को पूरा करने के लिये किया गया है जो किसी भी नियमित श्रेणी के अन्तर्गत नहीं आते हैं। इसे केवल जेता द्वारा निर्यात श्रेणीकरण के लिये अपेक्षित स्थानिटी और मात्रा उपवर्णित करने हुए दिये गये किसी विशिष्ट भाइडग के विरुद्ध अनुशासन किया जायेगा।

परिभाषा : “बाह्य पदार्थ” से धूल, गंधता, पस्थर, मिट्टी, बूर, भूसा, तना तृण या कोई अन्य विज्ञातीय पदार्थ से मुक्त होगा। विशेष श्रेणी, कुरुक्ष, गंधता और पक्की रुदा पशु उत्पाद से मुक्त होगा।

#### \*टिप्पण :—

- (1) मूल नियम भारत के राजपत्र भाग 2, खंड (ii) सारेख 20-1-68 में का.प्रा. सं. 249 तारीख 6-1-68 के रूप में प्रकाशित किये गये थे।
- (2) पहला संशोधन भारत के राजपत्र भाग 2, खंड 3 (ii) सारेख 16-10-71 में का.प्रा. सं. 1375 तारीख 6-1-68, 13/15-9-71 के रूप में प्रकाशित किया गया।
- (3) दूसरा संशोधन भारत के राजपत्र भाग 2, खंड 3(ii) में का.प्रा. 1451 के रूप में प्रकाशित किया गया।

[सं. 18011/2/95-एमी]

भालाट मोहनवास, संयुक्त सचिव

#### MINISTRY OF RURAL AREAS AND EMPLOYMENT

(Department of Rural Development)

New Delhi, the 17th July, 1996

S.O. 2290.—The following draft of the Fennel, Fenugreek and Celery Seeds Grading and Marking Rules, which the Central Government proposes to make, in exercise of the powers conferred under Section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937) and in supersession of the Fennel (Whole and Ground), Fenugreek (whole and ground) and Celery Seeds (whole) Grading and Marking Rules, 1967, except as respects things done or omitted to be done before such supersession is hereby published, as required by the said section, for information of all persons likely to be affected thereby and notice is hereby given that the said draft rules shall be taken into consideration after forty five days from the date on which the copies of the Gazette of India in which this notification is published are made available to the public;

Any person desiring to make any suggestion or objection in respect of the said draft rules may forward the same for consideration by the Central Government within the period so specified above, to the Agricultural Marketing Adviser to the Government of India, Directorate of Marketing and Inspection, Head Office, N.H. IV, Faridabad-121001;

#### DRAFT RULES

1. Short title and application.—(1) These rules may be called the Fennel (whole and Ground), Fenugreek (whole and ground) and Celery seeds (whole) Grading and Marking Rules, 1996.

(2) They shall apply to Fennel (*Foeniculum vulgare*, Mill) whole and powdered, Fenugreek (*Trigonella foenum-graecum L*) whole & powdered, and Celery seeds (*Apium graveolens L*) whole.

2. Definitions.—In these rules, unless the context otherwise requires :—

- (a) “Agricultural Marketing Adviser” means the Agricultural Marketing Adviser to the Government of India;
- (b) “Authorised packer” means a person or a body of persons who has been granted the certificate of authority to grade and mark the commodity in accordance with the grade standards and procedure prescribed under the rules;
- (c) “Certificate of Authorisation” means the certificate issued under the provisions General Grading and Marketing Rules, 1988, and authorising a person or a body or persons to grade and mark the commodity with the grade designation mark;
- (d) “Schedule” means a Schedule appended to these rules.

3. Grade designations.—The grade designations to indicate quality of the article shall be as set out in column (1) of the Schedules II to VI.

4. Definition of Quality.—The quality indicated by the respective grade designations and general characteristics shall be as set out against each grade designation in columns 2 to 4 of Schedules II and III for Fennel seed whole and Ground (powdered), columns 2 to 7 of Schedules IV and V of Fenugreek whole as well as Fenugreek Ground (powdered), and columns 2 to 5 of Schedule VI for celery seed.

5. Grade designation marks.—The grade designation mark shall consist of :—

- (i) A label specifying name of the commodity, grade designation and bearing the design consisting of an outline map of India with the word ‘AGMARK’ and figure of the rising sun, resembling the one as set out in Schedule-I-A; or

(ii) "AGMARK Replica" consisting of the design incorporating number of certificate of authorisation, the word "AGMARK", name of the commodity, grade designation and resembling the one as set out in Schedule-I-B, or

Provided that the use of AGMARK replica in lieu of AGMARK labels shall be allowed only to such authorised packers who have been granted necessary permission by the Agricultural Marketing Adviser or an officer authorised in this regard and subject to the conditions prescribed under the General Grading and Marking Rules, 1988.

6. Method of Marking :—

- (1) The grade designation mark shall be securely affixed to or clearly and indelibly printed on each container;
- (2) In addition to the grade designation mark the following particulars shall be clearly and indelibly marked on each container :—
  - (i) Name and address of the packer,
  - (ii) Place of packing,
  - (iii) Date of packing in month and year
  - (iv) Lot/batch number,
  - (v) Net weight,
  - (vi) Price,
- (3) An authorised packer may, with prior approval of the Agricultural Marketing Adviser or an officer authorised in this regard affix his private trade mark or trade brand on graded packages, provided that the same does not indicate quality other than that indicated by the grade designation mark affixed to the graded packages.

7. Method of packing :—

- (1) The graded article shall be packed in clean, sound and dry containers such as jute bags, cloth bags, polywoven bags, paper bags, polyethylene laminated pouches, card-board cartons, tin/glass/plastic containers, wooden cases or any other material as may be required by the buyer and/or approved by the Agricultural Marketing Adviser or an officer duty authorised by him in this regard, provided that material is made of food grade;

- (2) Suitable water proof lining shall be used in packing of powdered material in jute bags, cloth bags, card-board cartons etc;
- (3) The containers shall be free from insect infestation, fungus contamination, deleterious substance or any undesirable or obnoxious smell;
- (4) Each package shall contain graded material of one grade designation only. Suitable number of small packs containing graded material of the same lot and grade designation may be packed in a large master container;

Provided that composite packing of consumer packs of different articles in a single master container may be allowed against specific requirement of the foreign buyer and subject to the condition that each consumer pack shall carry appropriate grade designation mark and the details thereof shall be indicated on the tie-on label affixed to the master container;

- (5) Each container shall be securely closed and sealed in a manner approved by the Agricultural Marketing Adviser.

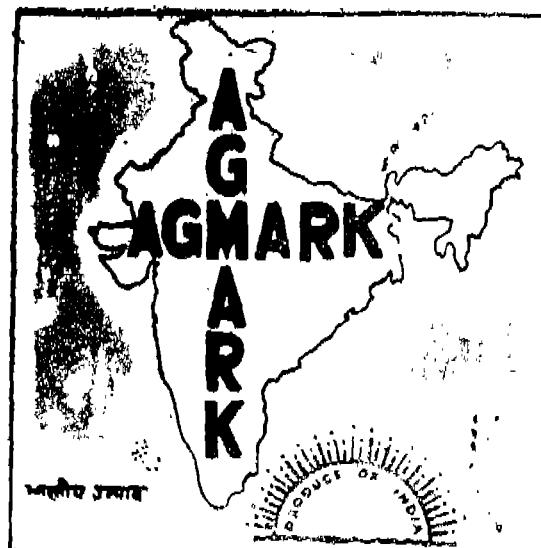
8. Special conditions of certificate of Authorisation :—In addition to the conditions specified in sub-rule (8) of Rule 3 of the General Grading and Marking Rules, 1988, the following shall be additional conditions for grant of certificate of Authorisation for grading and marking Fennel Seed (Whole and powdered) Fenugreek (Whole & powdered) and Celery seeds under these rules namely :—

- (1) The authorised packer shall either set up his own laboratory manned by a qualified chemist approved by the Agricultural Marketing Adviser or an officer authorised in this regard for testing quality of Fennel Seed (Whole & powdered) Fenugreek Seed (Whole and powdered) and Celeryseed woole or have access to the State Grading Laboratory or private commercial laboratory approved by the purpose;
- (2) The premises for processing, grading and packing shall be maintained in perfect hygienic and sanitary conditions;
- (3) The personnel engaged in these operations shall be in sound health and free from any contagious disease.

SCHEDULE-I-A

[See Rule 5(i)]

DESIGN OF THE AGMARK LABEL



## SCHEDULE-I-B

[See Rule 5(ii)]

## DESIGN OF AGMARK REPLICA



NAME OF COMMODITY

GRADE

## SCHEDULE-II

(See Rules 3 and 4)

## Grade designations and definitions of quality of Fennel seeds (Sauf)

Grade designation	Definition of quality		
	Special of characteristics		
	Inorganic extraneous matter (percentage by weight maximum)	Organic extraneous matter (percentage by weight maximum)	Damaged blackened and insect bored seeds (per centage by weight maximum)
1	2	3	4
Special	0.25	1.5	1.50
Good	0.5	2.5	3.00
Fair	1.5	3.5	5.00

\*Non specified

Explanation:—Non-Specified :—is not a regular grade. It is provided to meet such specific requirements of the buyer which are not covered under any of the regular grades. It shall be allowed only for Export grading against a specified order from the buyer indicating the quality and quantity required.

## Definition of quality

Shrivelled and immature seeds (percentage by weight maximum)	Moisture (percentage by weight maximum)	Volatile oil content ml/ 100 gm (Minimum on dry basis)	General characteristics			
			5	6	7	8
2.00	10.00	1.00	Fennel Seeds shall :—			
4.00	10.00	1.00	(a) be the dried fruits of the plant botanically known as <i>Feonisulum vulgare</i> Mill.			
6.00	10.00	1.00	(b) be free from visible mould, live insects, any harmful Foreign matter and musty odour			

rancidity, off flavour mould growth, insect infestation, rodent contamination and added colouring matter;

(c) generally conform to the characteristics size, shape, colour, taste and aroma of the variety/type;

(d) comply with the restrictions in regard to aflatoxin content, metallic contaminants and insecticide residue as prescribed under Prevention of Food Adulteration Rules, 1955.

Definitions :

1. "Inorganic extraneous matter" means dust, dirt, stones earth or any other inorganic foreign matter.
2. "Organic extraneous matter"- means chaffs stalks, stems, straw, other seed or any other organic foreign matter.
3. "Damaged and blackened seeds" are those fruits which are damaged or blackened materially affecting the quality,
4. "Insect bored seeds" are those fruits which are partially or wholly bored or eaten by weaviles or other insects.
5. "Shrivelled and immature seeds" are those which are not properly developed.

SCHEDULE-III

(See Rules 3 and 4)

Grade designation and definition of quality of Fennel powder

Grade designation	Definition of quality		Acid insoluble ash percentage by weight (Max.)
	Moisture percentage by weight (Maximum)	Total ash on dry weight basis, percentage by weight (Maximum)	
1	2	3	4
Standard	10.0	9.0	1.5
*Non-specified			

Explanation :

\*Non specified : is not a regular grade. It is provided to meet such specific requirement of the buyer which are not covered under the regular grade. It shall be allowed only for export grading against a specific order from the buyer indicating the quantity and quality required.

Definition of quality			
Special characteristics		Special characteristics	
Volatile oil percentage Minimum (v/w)	Non-volatile other ex- tract on dry weight basis percentage by weight (Minimum)	Particle size	General Characteristics
5	6	7	8
1.0	10.0	Material shall be passed through 500 micron sieve	<ul style="list-style-type: none"> <li>(a) Fennel powder shall be the material obtained by grinding the dried ripe, clean and round fruits of fennel (<i>Foeniculum vulgare</i> Mill). It shall be free from admixture, mould growth, insect infestation or musty odour;</li> <li>(b) It shall be free from coarse particles and ground to such a fineness that the whole of it passes through a 500 micron sieve;</li> <li>(c) It shall be free from sancidity, off-flavour and rodent contamination;</li> <li>(d) It shall be free from extraneous matter and added colouring matter;</li> <li>(e) comply with the restrictions in regard to aflatoxin content, metallic contaminants and insecticide residue as prescribed under Prevention of Food Adulteration Rules, 1955.</li> </ul>

## SCHEDULE-IV

[See rules 3 and 4]

### Grade designations and definition of quality of Fenugreek seeds (Methi)

Grade designation	Definition of quality				
	Special requirements				
	Inorganic extraneous matter percentage by weight (Maximum)	Organic extraneous matter percentage by weight (Maximum)	Damaged blackened and insect board seed percentage by weight (Maximum)	Shriveled and immature seeds percentage by weight (Maximum)	Moisture percentage by weight (Maximum)
1	2	3	4	5	6
Special	0.25	0.5	0.5	1.5	10.0
Good	0.5	1.5	1.0	3.0	10.0
Fair	1.0	2.5	2.5	5.0	10.0
*Non specified					

### Explanation :

\*Non-specified -is not a regular grade. It is provided to meet such specific requirements of the buyer which are not covered under any of the regular grades. It shall be allowed only for export grading against a specific order from the buyer indicating the quantity and quality required.

## Contd. Schedule-IV

## General characteristics

7

Fenugreek seeds shall :—

- (a) be the dried mature seeds of the plant botanically known as *Trigonella foenum graecum* L.
- (b) be free from visible mould, live insects, any harmful foreign matter and musty odour;
- (c) generally conform to the characteristics size, shape, colour, taste and aroma of the variety/type;
- (d) be free from rancidity, off flavour, mould growth, insect infestation and rodent contamination;
- (e) be free from added colouring matter;
- (f) comply with the restrictions in regard to aflatoxin content, metallic contaminants and insecticide residue as prescribed under the prevention of Food Adulteration Rules 1995.

## DEFINITIONS:

1. "Organic extraneous matter" means chaff, stalks, stems, straw, other seeds or any other organic foreign matter.
2. "inorganic extraneous matter" means dust, dirt, stones, earth or any other inorganic foreign matter.
3. "Damaged and Blackened seeds" are those seeds which are damaged or blackened materially affecting the quality.
4. "Insect bored seeds" are those seeds which are partially or wholly bored or eaten by weevils or other insects.
5. "Shriveled and immature seeds" are those seeds which are not properly developed.

## SCHEDULE-V

(See rules 3 and 4)

## Grade designation and definition of quality of Fenugreek powder

Grade designation	Definition of quality					
	Special characteristics					
Mositure percentage by weight (Max.)	Total ash dry weight basis percentage by weight (Max.)	Acid insoluble as on dry weight basis percentage by weight (Max.)	Cold water soluble extract percentage by weight (Max.)	Crude fibre on dry weight basis percentage by weight (Max.)		
1	2	3	4	5	6	
Standard	10.0	7.0	2.0	30.0	18.0	
* Non-specified						

## Explanation :

- \* Non-specified:—is not a regular grade. It is provided to meet such specific requirements of the buyer which are not covered under the regular grade. It shall be allowed only for export grading against a specific order from the buyer indicating the quantity and quality required.

## General characteristics

1. Fenugreek powder shall be the material obtained by grinding the dried, clean and sound seeds of Fenugreek (*Trigonella foenumgraecum* L.) It shall be free from admixture mould growth, insect infestation or by musty odour. It shall be free from coarse particles and ground to such a fineness that the whole of it passes through a 500 micron sieve;
  - (a) be free from rancidity, off flavour, and rodent contamination.
  - (b) be free from extraneous matter and added colouring matter.

(c) comply with the restrictions in regard to aflatoxin content, metallic contaminants and insecticide residue as prescribed under the prevention of Food Adulteration Rules, 1995.

### SCHEDULE-VI

(See rules 3 and 4)

#### Grade designation and definitions of quality of Celeryseeds

Grade designation	Definition of quality			
	Special characteristics			
	Extraneous matter (percentage by weight (Max.))	Damaged and edible foreign seeds (percentage by weight (Max.))	Moisture (percentage by weight (Max.))	General characteristics
1	2	3	4	5
Special (v)	0.5	1.5	10.00	Celeryseed shall : (a) be the dried mature fruits of the plant botanically known as apium graveolems (b) be free from visible mould, live or dead insects, any harmful foreign matter and musty odour. (c) generally conform to the characteristics size, shape, colour, taste and aroma of the variety/type; (d) be free from rancidity, off-flavour mould growth, insect infestation and rodent contamination; (e) be free from added colouring matter (f) comply with the restrictions in regard to AFLATOXIN content, metallic contaminants and insecticides residue as prescribed under the prevention of Food Adulteration Rules, 1995.
Good	1.5	2.5	10.00	
Fair	3.0	3.0	10.00	

\*Non-Specified

#### \*Explanation :

\*Non-specified—is not a regular grade. It is provided to meet such specific requirements of the buyers which are not covered under any of the regular grades. It shall be allowed only for export grading against a specific order from the buyer indicating the quantity and quality required.

#### DEFINITION :

- “Extraneous matter” means dust, dirt, stone, earth, stalks, chaff, stems straw or any other foreign matter.  
@Note special grade shall be free from rodent filth and bird and animal excreta.

- (1) Principal rules published as S.O. 249 dated 6-1-68 in the Gazette of India Part-II Section 3(ii) dated 20-1-1968.
- (2) First amendment published as S.O. 1375 dated 6-1-1968 13/15-9-1971 in the Gazette of India Part-II Section 3(ii) dated 16-10-1971.
- (3) Second amendment published as S.O. 1451 in the Gazette of India Part-II section 3(ii) dated 10-4-1982.

## दिल्ली विकास प्राधिकारण

## सार्वजनिक सूचना

नई दिल्ली, 22 जुलाई, 1996

का. आ. 2291.—केन्द्रीय सरकार का दिल्ली की मुख्य योजना 2001/क्षेत्रीय विकास योजना में प्रस्तावित संशोधन परिवर्तन करने का प्रस्ताव है, जिसे अन्तता की जानकारी के लिए एतद्वारा प्रधारणीत किया जाता है। प्रस्तावित संशोधन परिवर्तन के संबंध में यदि किसी व्यक्ति को कोई आपत्ति हो अथवा सुझाव देना हो तो वह अपनी आपत्ति अथवा सुझाव लिखित रूप में इस सूचना के जारी होने के 30 दिन की अवधि के अन्दर आयुक्त एवं सचिव दिल्ली विकास प्राधिकारण, विकास सदन नई दिल्ली को भेज दें। आपत्ति करने/सुझाव देने वाले व्यक्ति को अपना नाम और पता भी देना चाहिये।

## संशोधन :—

(1) “दिनांक 1-8-90 को भारत के राजपत्र के पृष्ठ 140 की दाई और पर वैरा “3” में “क्षेत्रीय (उण्डेय) योजना” क्षणिक के अंतर्गत लिए “3 वर्षों की अवधि के प्रदर्श” को “31-7-97 तक” के स्पष्ट में बदला जाता है।”

(2) “जोन ‘डी’ में लूटियन के बंगला जोन में आने वाले 0.329 हेक्टेयर (0.3813 एकड़ि) भूमि क्षेत्र, जो उत्तर में कापर्निकस लेन, पूर्व में कापर्निकस मार्ग, दक्षिण में कैरिना लेन और पश्चिम में विकास बंगला संचया 20 से घिरा हुआ है, के भूमि उपयोग को “सार्वजनिक और अधिक सार्वजनिक सुविधाओं” से “सरकारी कारबिन्दी” में परिवर्तित किया जाना प्रस्तावित है, बशर्ते कि फर्श क्षेत्रफल अनुपात 150 हो और अधिकतम ऊंचाई 20 मीटर हो।

(3) “101 हेक्टेयर (260 एकड़ि) भूमि क्षेत्र, जो शहरी विस्तार क्षेत्र में आता है और उत्तर पूर्व और दक्षिण में कृषि भूमि तथा पश्चिम में विकास टीकरी कलां-झड़ीदा कलां रोड से घिरा हुआ है, के भूमि उपयोग को “कृषि हारित/ग्रामीण उपयोग जोन” से “हल्के और सेवा उद्योग (डी. बी. सी. और अन्य कूड़ा करान्डा परिसर)” में परिवर्तित किया जाना प्रस्तावित है।

2. नवशा और प्रस्तावित संशोधन परिवर्तन को वासनि वाली दिल्ली मुख्य योजना-2001 की सामग्री रिपोर्ट की प्रति निरोक्षण के लिए उपर्युक्त अवधि के अन्दर सभी कार्य विकासों में संदर्भ में दिशाक मुख्य योजना अनुकाग, उठी मंजिल विकास मीनार, आई पी एस्टेट, नई दिल्ली के कायलिय में उपलब्ध रहेगी।

[संख्या एफ 20(5)/94 एमपी]  
विश्व भोग्न बंसल, आयुक्त एवं सचिव

## DELHI DEVELOPMENT AUTHORITY

## PUBLIC NOTICE

New Delhi, the 22nd July, 1996

S.O. 2291.—The following amendment/modifications which the Central Government proposes to make to the Master Plan for Delhi-2001/Zonal Development plan are hereby published for public information. Any person having any objections or suggestions in writing to the Commissioner-cum-Secretary Delhi Development Authority, Vikas Sadan, 'B' Block, I.N.A., New Delhi within a period of 30 days from the date of this notice. The person making the objections/suggestions should also give his name and address.

## MODIFICATIONS :

- “On page 148 RHS of Gazette of India dated 1-8-1990 under the heading “Zonal (Divisional) Plan in part ‘C’ the words “within a period of 3 years” are substituted as :—  
“Upto 31-7-1997”.
- “The land use of an area measuring 0.329 ha (0.813 acre) falling in Lutyens’ Bungalow Zone in Zone ‘D’, bounded by Copernicus Lane in the North, Copernicus Marg in the East, ‘मानि’ Lane in the south and the existing Bungalow No. 20 in the west, is proposed to be changed from ‘public and semi-public facilities’ to ‘Government Offices’ subject to an FAR of 150 and maximum height of 20M”.
- “The land use of an area measuring 101 ha (250 acres) falling in Urban Extension, bounded by Agricultural land in the North, East and South and the existing Tikri-Kalan-Jharoda Kalan Road in the West is proposed to be changed from ‘agricultural green/rural use zone’ to ‘light and service industry’ (PVC and other solid waste complex)”.

2. A copy of the MPD-2001 text report indicating the proposed amendment/modification as well as plans will be available for inspection at the office of the Joint Director, Master Plan Section, 6th floor, Vikas Minar, I.P. Estate, New Delhi on all working days within the period referred above.

[No. F. 20(5)/94-MP]

V. M. BANSAL, Commissioner-cum-Secy.

नई दिल्ली, 5 जुलाई, 1996

का. आ. 2292—गौदोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कोसी क्षेत्रीय ग्रामीण बैंक के प्रबंधातंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट गौदोगिक विवाद में केन्द्रीय सरकार गौदोगिक अधिकरण, धरातल के पंचपट को प्रकाशित करती है, जो केन्द्रीय संगठन को 3-7-96 को प्राप्त हुआ था।

[संख्या एन-12012/9/93-आई आर बी आई]  
पी. जे. माइकल, डैस्क अधिकारी

New Delhi, the 5th July, 1996

S.O. 2292.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Dhanbad No. 2 as shown in the Annexure in the industrial dispute between the employers in relation to the management of Kosi Kshetriya Gramin Bank and their workmen, which was received by the Central Government on the 3-7-96

[No. L-12012/9/93-IR B-I]  
P. J. MICHAEL, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL (NO. 2) AT DHANBAD

#### PRESENT :

Shri D. K. Nayak, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947.

Reference No. 57 of 1993

#### PARTIES :—

Employers in relation to the management of Koshi Kshetriya Gramin Bank, Purnea and their workmen.

#### APPEARANCES :

On behalf of the workmen : None.

On behalf of the employers : Shri S. Pal, Advocate.

STATE : Bihar. INDUSTRY : Banking.  
Dated, Dhanbad, the 24th day of June, 1996

#### AWARD

The Govt of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-12012/9/93-I.R.(B-I), dated, the 26th April, 1993.

#### SCHEDULE

“Whether the action of the management of Kosi Kshetriya Gramin Bank in terminating the services of Shri Ram Chandra

Manjhee is legal and justified ? If not, to what relief the workman is entitled ?”

2. In this reference notices were duly served upon the parties. But only the management appeared. Thereafter notices were sent to the workmen, despite of the issuance of the registered notices to the workmen they neither appeared nor took any steps. Therefore, it appears to me that the workmen are not interested to proceed with the reference and presently there is no dispute existing between them. In the circumstances, I have no other alternative but to pass ‘No dispute’ Award in this reference.

D. K. NAYAK, Presiding Officer

नई दिल्ली, 5 जुलाई, 1996

का. आ. 2293.—गौदोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक इंडिया के प्रबंधातंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट गौदोगिक विवाद में केन्द्रीय सरकार गौदोगिक अधिकरण 2, मुम्बई के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-7-96 को प्राप्त हुआ था।

[संख्या एन-12012/436/90-आई आर (बी 2)]  
पी. जे. माइकल, डैस्क अधिकारी

New Delhi, the 5th July, 1996

S.O. 2293.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal 2, Mumbai as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Bank of India and their workmen, which was received by the Central Government on 1-7-1996.

[No. L-12012/436/90-IR(B-II)]  
P. J. MICHAEL, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, MUMBAI

#### PRESENT :

Shri S. B. Panse, Presiding Officer.

Reference No. CGIT-2/15 of 1991

Employers in relation to the management of Bank of India.

AND

Their Workmen.

#### APPEARANCES :

For the Employers : Mr. L. L. D'Souza, Representative.

For the Employers : Mr. L. L. D'Souza, Representative.

Mumbai, dated 12th June, 1996

#### AWARD—PART-II

On January 25th, 1995 by Part-I Award, I have come to the conclusion that the domestic inquiry which was held against the workman Parushottam S. Gadye was against the principles of Natural Justice. It is therefore, the management was given an opportunity to lead evidence before the Tribunal.

2. In short, the facts of this case can be narrated as below. Gadye the workman was employed as Sepoy-cum-Hamal in the bank in the year 1974. He was Charge sheeted. The

domestic inquiry was held against him and he was found guilty. He was dismissed from the service. The workman pleaded that the charges which were levelled against him were of a minor nature and the punishment which is awarded to him is a serious one. In other words it is disproportionate to the charges proved. He further contended that for such type of case the bank has not awarded the punishment of dismissal. He prayed for setting aside the order of dismissal with reinstatement in service in continuity alongwith back wages.

3. The management opposed the claim contending that he was not discriminated. It is averred that the worker is a chronic person and doing mischievous activities. It is averred that the punishment which is awarded to the workman is just, legal and proper. It is prayed that the reference may be answered in the favour of the management.

4. Now the remaining issues which have to be answered in this part and the findings thereon are as follows :

Issues	Findings
1. Whether the action of the management of Bank of India in relation to its Vita Branch, Dist. Sangli in dismissing Shri Purushottam S. Gadve w.e.f. 28-5-1987 is justified.	Justified
2. If not, to what relief the workman is entitled ?	Does not survive.
3. What Award ?	As per order.

#### REASONS

5. To bolster up the case the management examined Yeshwant Dixit (Exhibit-16), Arun Savardekar (Exhibit-17) and Ramesh Salve (Exhibit-18) and relied upon the documents on the record. So far as the workman is concerned he examined Sashikant Kulkarni (Exhibit-25) and Ashok Pawar (Exhibit-26). The workman also relied on the evidence which took place prior to Part-I Award. He also relied on the documents

6. The workman was given a chargesheet dated 16-9-85 (Exhibit-6/1). It reads as follows :

#### \*CHARGE-I

As a Bank's sepoy, it is expected of you that you will be polite and courteous not only with your superiors but also with the customers and the public and with everybody with whom you come in contact in your capacity as a Bank's sepoy of which you are well aware. However, you are not behaving in the manner you should and there have been several occasions when you have been subordinated and insulted staff/officers at the Branch. We quote the following instances :

- (i) Shri N. L. Kulkarni is a staff member working at the Branch as Clerk-cum-Typist and he is one of your superiors. On 23-5-1985, at about 5.20 p.m. you have deliberately with an intent to insubordinate and insult him called him in Marathi as "Narshya". Astonished with your misbehaviour, in an anger, when he questioned you as to what word did you utter, you becoming bold enough, once again called him in Marathi as Narshya.
- (ii) On 23-5-1985, at 11.00 a.m. you insubordinated and insulted Shri Y. J. Dixit, Special Assistant by saying to him in Marathi, in connection with his work, in front of a customer, as under : "Kaal Rathri Jeth Thakli Hoti Kai".
- (iii) On 4-6-1985, at about 5.45 p.m., when Shri A. R. Savardekar, staff officer enquired with you whether you have handed over credit advice to M/s. Prabhat Steel Corporation and whether you have delivered all hand delivery letters as instructed, you said 'yes' and you have further said that you have returned

from hand delivery work at 4.30 p.m. only. When Shri Savardekar, officer told you that he is aware of it, you uttered following words towards him in Marathi :

"Mala Mahit Ahe Tumche Amchyawar kayam Lashya aste Kavlyagait."

When objecting to your insubordinating and insulting language he questioned you as to what you were talking, becoming bold enough, you once again repeated the above words in Marathi, towards him.

Your aforesaid acts of deliberating using filthy language towards staff members/officer who are superior to you, amount to acts of gross misconduct in terms of Para 19.5(e) of the First Bi-partite Settlement dated 19-10-1966 which reads as under :

"Wilful insubordination of a superior."

#### CHARGE-II

You are found to be grossly negligent in the performance of your duties. There are repeated complaints from the staff members about your work. We quote below a few instances of this type :

(i) On 14-2-85, Shri A. R. Savardekar, Officer checked the Bank's outward mail and handed over the same to you at 5.00 p.m. with specific instructions to post the same at the main Post Office, Vite, this being the usual practice of the Bank to ensure that the mail catches the same day's dak since the last clearance at this Post Office is at 5.30 p.m. However you have grossly neglected the instructions of your superior and deliberately posted the mail in a post box situated near Vite Merchants Co-operative Bank where last clearance timing is at 3.30 p.m. You have, thus also undermined the interest of the Bank.

(ii) On 22-5-1985, Shri S. K. Soman, Clerk wanted your services for some work and he called you. He called you for about 10 times, but you deliberately ignores him and did not attend to him upto 12.50 p.m. without any valid reasons.

(iii) On 22-5-1985 Shri N. L. Kulkarni, clerk asked your for three times to give saving jotting book No. 14 to him for work, but you deliberately ignored him and did not give the required ledger to him upto 5.25 p.m. without any valid reasons.

Your aforesaid acts of posting the mail in a Post Box other than the one as specifically instructed to you, deliberately ignoring and not attending to the staff members requesting your services without any valid reasons amount to act of gross misconduct in terms of para 19.5(j) of the First Bi-partite Settlement dated 19-10-1966, which reads as under :

"Doing any act of gross negligence in work."

#### CHARGE-III

On 23-5-1985, Shri Y. J. Dixit, Special Assistant and one of your superiors, made a written complaint to the Manager against you about your insulting and insubordinating behaviour with him. Thereafter, when Shri Dixit went to the room where drinking water is kept for drinking water, you also went behind him. You caught hold of him from behind, lifted him and rotating his body round, you asked him in loud voice to withdraw the complaint against you.

Your aforesaid acts of lifting Shri Dixit, your superior, rotating his body round and asking him to withdraw the complaint against you amount to acts of gross misconduct in terms of Para 19.5 (C) of the First Bi-partite settlement dated 19-10-1966, which reads as under :

"Riotous, disorderly and indecent behaviour on the premises of the Bank."

6. Yeshwant Dixit (Exhibit-16) was working as a Special Assistant at the Banks Vite Branch at the relevant time. He knows the worker. He affirmed that on 23-5-85 at about

11.00 a.m. the worker insulted him in front of the customer by stating *मात नाम जात ताक नाही*. He then reported the matter to the manager who asked him to write the same in writing. As per the suggestion he recorded it in the complaint book which was maintained for that purpose (pg. 150 of Exhibit-6). So far as the cross examination on this incident is concerned there is nothing on the record. It appears that the worker accepted the utterances which he made towards Dixit. It can be said that in the statement of claim and from the testimony of Kulkarni (Exhibit-25) and Pawar (Exhibit-26) there is no denial. So far as Kulkarni is concerned he was the defence representative in the domestic inquiry against the worker. He had no personal knowledge but so far as Pawar (Exhibit-26) is concerned he was working at Vite Branch at a relevant time. He however admitted that the worker had not uttered it. On the contrary from his testimony it reveals that the worker is a hot tempered man and the other employees of the bank used to tease him and provoke him. Those acutives had no concern for deciding whether the charges are proved or not. In other words the testimony of Kulkarni and Pawar is not at all helpful for the worker to rebut the charges which were levelled against him and which the management witness tried to prove.

7. Dixit further affirmed that after making the written complaint he went to the room where the drinking water kept. The worker came from behind, he seized him and roared around. He threatened and said to him in a loud voice that he should withdraw the complaint made against him in the morning. He reported the incident to the manager who advised him to write the complaint in the book which was maintained. It is at pg. 159 of Exhibit-6. It can be seen that there is no cross examination of Dixit on this point. It can be further seen that in the statement of claim there is no denial in respect of this charge. Further more when this contention was taken in the written statement by the management in the responder there is nothing in respect of the same. It can be further seen in the testimony of the worker and his two witnesses there is no reference in regard to this charge. In other words there is no denial.

8. In the cross examination of Dixit what is tried to bring on the record that there is no acknowledgement of the bank officer of M-8 and M-9 which were the complaint made by Dixit. On its basis it is tried to argue that it is manipulated. I am not inclined to accept this. It is because Dixit, Savardekar and Saive the management witnesses affirmed that there were complaints against the worker repeatedly. It is therefore a book was maintained to write a complaint against the worker which is not normally done. I do not find any illegality on the part of the management for keeping such a book. As such the book was kept for recording the complaint there was no question of manager endorsing it as received. It can be further seen that before the domestic inquiry the worker had not deposed those words but before the Tribunal he did depose it. He had given explanation that he did not depose so earlier because those words were insulting. He denied the suggestion that the management compelled him to file those complaints. Infact there was no reason for the management to do so. There was no reason for the management to choose Dixit for doing this work as there is no enmity between him and the worker. There is no reason why under such circumstances Dixit should be disbelieved. I find that from his testimony the management had proved these two charges.

9. Savarkar (Exhibit-17) was working as officer at Vite Branch from 15-10-84 to 19-3-89. He affirmed that on 14-2-85 at about 5.00 p.m. he handed over all the old mail duly checked by him to the worker with an instruction to post the same in the Main Post Office at Vite. This was the usual practice because the clearance in the main post office is at 5.20 p.m. He affirmed that at about 5.10 p.m. the sweeper Miral reported him that he saw the worker in the cycle repairing shop at about 5.08 p.m. He send Miral there to know whether the worker had posted those letter or not. The sweeper came back and reported that the mail is not in the hand of the worker. At about 5.25 p.m. the worker came to the bank. On inquiry he informed that he posted the mail in the letter box situated near Vite Merchant's Co-operative Bank where the clearance was at 3.50 p.m. He further told that he posted it there because he had to go

there for his personal work instead of Main Post Office. Savardekar affirmed that he reported the matter to the manager who asked him to take explanation of Gadve and took his signature in Marathi. Gadve read it and signed it.

10. In the cross examination he accepts that he did not instruct the worker to post the mail at a particular post office. But he affirmed that it is a practice of the bank to hand over the mail to the peon at 3.00 p.m. for posting it to the main post office with a view that it should be cleared on the same date i.e. at 5.20 p.m. He accepts that the complaint which he wrote does not bear his signature but it is in his hand writing. As the signature is not there then it can be stated to be a mistake. The worker signed it. It is tried to suggest that using undue influence, his signature was obtained. I am not inclined to accept it. It is because the conduct of the worker, the previous history of the worker, that there are many complaints against the worker by his colleagues clearly goes to show that he is not a person who could be influenced by the superiors and get his signature on the complaint. I therefore find that the worker signed the complaint which was written by Savardekar and acknowledged him that the contents are correct.

11. Mr. Patil the Learned Representative of the worker tried to argue that as there was no specific direction to post the mail in a particular post office it cannot be said that the worker had committed any error. I am not ready to accept this because when there was a particular type of a practice namely mailing the post in the Main Post Office before 3.00 p.m. Since the mail was handed over to the worker at 3.00 p.m. it has to be presumed that he had to mail it in the Main Post Office unless otherwise directed. It is also tried to argue that there was no important mail in that mail. That has no merit. Whether the mail was important or no, it has nothing to do with the allegations in the Charge Sheet.

12. Savardekar affirmed that when he made queries with the worker on 4-6-85 the instead of the work which was allotted to him the worker rudely and in an arrogant manner stated *मात नाम जात ताक नाही*. He affirmed that by hearing those words he was taken aback. He again asked what he wants to say. The worker repeated those words. He then complained to the manager and wrote it down in the complaint book (pg. 152 of Exhibit-6). In his cross examination there is nothing to show that the worker had not used those words. To repeat it again in the Statement of Claim, in the testimony of Pawar (Ex-26) and in the written argument what is tried to suggest is that those utterances are not with a view to defend the particular person but it was the usual practice in that rural area. I am not inclined to accept this. The words which the worker used against the officer Savardekar clearly speaks of subordination. Further more it is an act of insulting the officer. So far as these utterances are concerned I find that the charge is proved to that effect.

13. Savardekar (Exhibit-17) affirmed that S. K. Soman was working as a clerk. He came and reported that he called the worker for about ten times for the work but he ignored and did not attend his work even though he heard him calling. He wrote the complaint of Soman and had taken his initials on it. That complaint is at pg. 151 (Exhibit-6).

14. Savardekar affirmed that on 22-5-85 N. L. Kulkarni (clerk) reported him that when he asked the worker to give him the saving jotting book No. 14 for three times but Dadve did not do the work. The worker ignored Kulkarni. He wrote down Kulkarni's complaint as narrated by him. Kulkarni signed it after reading the same. This is at pg. 149, Exhibit-6.

15. Savardekar further affirmed that on 23-5-85 Kulkarni again complained to him stating that the worker called him in Marathi "Narshay" in insulting tone and manner. He repeated those words to Kulkarni. Then he wrote down the complaint, took the signature of Kulkarni. The complaint is at pg. 150 (Exhibit-6).

16. In the cross examination of Savardekar it is not suggested to him that those incidents had not taken place at all. It was suggested to him that the complaints were addressed to the manager but they were written in that book. This is not in dispute. He affirmed that the complaint book always goes to the manager. He denied that he had prepared a record against the worker with the help of Soman and Kulkarni. There is no reason why this witness has to be disbelieved.

17. Mr. Patil the Learned Representative for the workman argued that Soman and Kulkarni even though available are not examined. Therefore the evidence which is lead by Savardekar in respect of the complaints is a bare say and cannot be accepted. This is not a criminal trial. The proof required in a domestic inquiry is quite different from that of a criminal proceeding. In the domestic inquiry strict rules of evidence are not applicable and all material which are logical, probative for prudent mind are permissible. In J. D. Jain Vs. State Bank of India 62 FJR pg. 50 Their Lordships have observed for the purpose of domestic inquiry a complaint by the person aggrieved by the misconduct not frivolous but substantiated by circumstantial evidence is enough. No rule of law enjoins that the complaint has to be in writing. Here in this case Savardekar recorded the complaint of Kulkarni. He wrote it down, got their signatures and proved it. This is more than sufficient for proving the allegations in a domestic inquiry when other circumstances are against the worker. Here there are so many circumstances which speaks against the workman of his misbehaviour. This is not the single act which he committed against his colleagues and superiors. It is not in dispute that the union itself had complained to the management against the worker for taking action against him. That itself goes to show that what type of man the worker is.

18. It is tried to argue, at initial stage that the management with a view to inculcate the punishment of dismissal had shown that the workman had committed gross misconducts. I have come to the conclusion in Part-I award that the clauses which were shown in respect of those charges are incorrect. In this case there are minor misconducts, and major misconducts also. So far as causing hurt to Dixit is concerned it is a major misconduct, it is really surprising how the worker could hit Dixit, threaten him and demand from him to withdraw the complaint. This act itself really goes to show that how dangerous the worker is. It is rightly argued on behalf of the management that on that count alone the dismissal order has to be affirmed.

19. Ramesh Mahadevrao Salve (Exhibit-18) worked as an officer in the Industrial Law Division at the banks Head Office at Bombay. He lead evidence to prove the workers past service record. It can be seen that once the worker was dismissed but with the intervention of the union and his pleadings the suspension was set aside and minor punishment was awarded to him. Alongwith Exhibit-18 Salve had produced Annexures A to K of the earlier inquiries warnings and memos of the worker. After going through this record it clearly goes to show that the worker is a chronic defaulter.

20. In Chandrakan Kumbhar V. Doorman Agricultural Products 1989 CLR 166 it is observed by Their Lordships that when there is a chronic default then the order of dismissal should not be interfered with. Here in this case the worker was once removed. There were Memo's and warnings to him, that itself goes to show that his attitude towards the management. The union had also asked its members in that branch whether the workers behaviour was important or not (Exhibit-19). The employees who were working at that branch had informed to the manager that there is no improvement of the worker. It could be further seen that there is no reason for all these employees to be against this man. It is not that one individual is against the worker, but all of them are against him. That supports the case of the management. For all these reasons I record my findings on the issues accordingly and pass the following order :

## ORDER

1. The action of the management of Bank of India in relation to its Vice Branch, Bist. Sangli in dismissing Shri Purushottam S. Gadve w.e.f. 28-5-1987 is justified.
2. No order as to costs.

S. B. PANSE, Presiding Officer

नई दिल्ली, 8 जूनाई, 1996

का. आ. 2294 :—राज्याधिकार विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दक्षिण रेलवे के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में, लेवर कोर्ट, कोची के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-7-96 को प्राप्त हुआ था।

[नंबर प.ल-41012/105/93-आई आर बी आई]  
पी. जे. माहिकल, ईस्क अधिकारी

New Delhi, the 8th July, 1996

S.O. 2294.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Labour Court, Kochi, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Southern Rly., and their workmen, which was received by the Central Government on the the 3-7-96.

[No. L-41012/105/93-IR (B-I)]  
P. J. MICHAEL, Desk Officer

## ANNEXURE

IN THE CENTRAL GOVERNMENT LABOUR COURT,  
ERNAKULAM

(Labour Court, Ernakulam)

(Monday, the 3rd day of June, 1996)

PRESENT :  
Shri Varghese T. Abraham, B.A., LL.M., Presiding Officer

Industrial Dispute No. 12 of 1995 (C)

BETWEEN :

The Executive Engineer (Constrn.) Southern Railway,  
Podanpur, Tamil Nadu.

AND

The General Secretary, Dakshin Railway Casual Labour  
Union, Edappally North, Cochin-682 024, Kerala  
State.

Representations :

Sri. P. M. M. Najeeb Khan,  
Advocates, United Law Chambers,  
SRM Road, Kochi-18. . . For Management.  
M/s. Paulson C. Varghese &  
A. Jayankar, Advocates,  
Azad Road, Kochi-17. . . For Union.

## AWARD

1. The Government of India as per order No. L-41012/105/93-IR B dated 5-4-95 referred the following industrial dispute for adjudication :

“Whether the action of the Management of Executive Engineer (Constrn.) S. Rly Podanpur in terminating the services of the workman viz. C. R. Unni working under PW1 Palghat w.e.f. 3-7-84 without

complying the provisions of the I.D. Act, 1947 'Indian Railway Establishment Manual' is justified? If not, to what relief the workman concerned is entitled?"

2. No representation for the union and for the workman. From this it follows that the union and workman are not interested in pursuing the dispute.

In the result, reference is answered holding that no industrial dispute is pending to be adjudicated.

Pronounced in open court on this the 3rd day of June, 96. Ernakulam.

VARGHESE T. ABRAHAM, Presiding Officer

नई दिल्ली, 10 जूलाई, 1996

का.आ. 2295:—आंशोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 12 के अनुभरण में, केन्द्रीय सरकार मध्य रेलवे के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट आंशोगिक विवाद में केन्द्रीय सरकार आंशोगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार की 8-7-96 को प्राप्त हुआ था।

[संख्या प्रा-11012/18/90-आई शार बी आई]  
पी. जे. भाईकल, डैंक अधिकारी

New Delhi, the 10th July, 1996

S.O. 2295.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Central Rly. and their workmen, which was received by the Central Government on the 8-7-96

[No. L-41012/18/90-IR.B-I]

P. J. MICHAEL, Desk Officer

#### ANNEXURE

BEFORE SRI. B. K. SRIVASTAVA, PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT PANDU NAGAR DEOKI PALACE ROAD, KANPUR

Industrial Dispute No. 266 of 1990

In the matter of dispute between :

PRESIDENT :

Rashtriya Chaturth Shreni Rail Mazdoor Congress,  
4 Hirapura Nagra,  
Jhansi.

AND

Divisional Railway Manager,  
Central Railway,  
Jhansi.

APPEARANCE :

S. Singh—for the Union.  
None—for the management.

#### AWARD

Central Government, Ministry of Labour, New Delhi vide its notification No. L-41012/18/90-D.R.D.U. dt. 25-10-90/7-11-90, has referred the following dispute for adjudication to this Tribunal :—

Whether the action of the management of Central Railway Jhansi in not promoting Sri Dwarika Prasad to the post of Senior clerk in the pay scale of 330-560 w.e.f. 26-9-89 is justified. If not, what relief he is entitled to?

2. The concerned workman Dwarika Prasad was appointed as peon by the opposite party D.R.M. (P) Central Railway, Jhansi. Later on he was promoted in class III category on 30-8-80 in the grade Rs. 260-400. The concerned workman was entitled for grade Rs. 330-560 w.e.f. 2-8-82, from which date junior to him was given that pay scale. The opposite party is not giving this grade despite demand.

3. The opposite party has filed reply which is vague and comprise technical objections like, the railway being not industry and that the opposite party performs sovereign function. In other words no specific denial has been made in respect of facts on the basis of which the claim has been passed. Later on the concerned workman Dwarika Prasad filed his affidavit and he was also cross examined. The opposite party did not turn up to contest the case. In this way the claim of the concerned workman has neither been specifically denied in the pleading nor rebutted by this way the claim of the concerned workman has neither accept the claim of the concerned workman.

4. I do not find any substance in the objection of the opposite party that railway is not an industry and that it performs sovereign function as the same has been decided by Hon'ble Supreme Court and other High Courts time and again.

5. It may further be noted in the reference the above mentioned grade has been claimed w.e.f. 26-9-89 whereas evidence has been adduced to prove the claim w.e.f. 2-8-82.

6. As the claim has been proved my award is that the concerned workman will be entitled for grade Rs 330-560 w.e.f. 26-9-89. Further the action of the opposite party in not giving this grade is not justified.

7. Reference is answered accordingly.

New Delhi, the 10th July, 1996

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 10 जूलाई, 1996

का.आ. 2296:—आंशोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुभरण में, केन्द्रीय सरकार उत्तर रेलवे के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट आंशोगिक विवाद में केन्द्रीय सरकार आंशोगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार की 8-7-96 को प्राप्त हुआ था।

[संख्या प्रा-41012/47/89-आई शार बी आई]

पी. जे. भाईकल, डैंक अधिकारी

New Delhi, the 10th July, 1996

S.O. 2296.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of N. Rly. and their workmen, which was received by the Central Government on the 8-7-96.

[No. L-41012/47/89-IR.B.I]  
P. J. MICHAEL, Desk Officer

#### ANNEXURE

BEFORE SRI. B. K. SRIVASTAVA, PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT PANDU NAGAR DEOKI PALACE ROAD, KANPUR

Industrial Dispute No. 168 of 1990

In the matter of dispute

BETWEEN :

Divisional Secretary,  
Uttar Railway Kramchari Union,

39-II J. Multistoried Colony,  
Charbagh Lucknow.

AND

Divisional Railway Manager,  
Northern Railway Hazaratganj,  
Lucknow.

**AWARD**

1. Central Government, Ministry of Labour, New Delhi vide its notification No. L-41012/47/89-IRDU dt. 27-7-90 has referred the following dispute for adjudication to this Tribunal :—

Whether the Divisional Railway Manager Northern Railway Lucknow is justified in not giving proper seniority to Sri Usreti S/o Late Nankoo while his juniors have been made senior ? If not what relief of the workman is entitled to ?

2. The case of the concerned workman is that he retired from the services of the opposite party after rendering 36 years of service but ignoring him his juniors were made tested and given promotion to higher grade.

3. The opposite party has filed reply in which it is alleged that the concerned workman never applied for promotion as such he was not given promotion.

4. In the instant case none of the parties have adduced oral or documentary evidence.

5. In view of above it is held that the concerned workman is entitled for no relief for want of proof.

6. Consequently it is held that the action of the management is justified and accordingly the concerned workman is not entitled for any relief.

7. Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 10 जून 1996

का.आ. 2297—ओद्योगिक विवाद प्रधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसारण में, केन्द्रीय सरकार ए. एन.जैड. ग्रिन्डलैंड बैंक के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट ओद्योगिक विवाद में केन्द्रीय सरकार ओद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-7-96 को प्राप्त हुआ था।

[संचया एम-12012/207/93-आई आर बी आई]

पी.जे. मार्कल, डैम्स अधिकारी

New Delhi, the 10th July, 1996

S.O. 2297.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of ANZ Grindlays Bank and their workmen, which was received by the Central Government on the 8-7-96.

[No. L-12012/207/93-IRB1]  
P. J. MICHAEL, Desk Officer

**ANNEXURE**

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT PANDU NAGAR DEOKI PALACE ROAD, KANPUR

Industrial Dispute No. 93 of 1993

In the matter of dispute between :  
General Secretary,

1785 GI/96—7

Grindlays Bank Employees Union,  
C/o. B. P. Saxena,  
116 W-II Banjari Vihar,  
Kanpur.

AND

Prabandhak,  
ANZ Grindlays Bank,  
the Mall Kanpur.

**APPEARANCES :**

Shri B. P. Saxena for the Union.  
Shri Amrik Singh for the Management.

**AWARD**

1. Central Govt. Ministry of Labour, New Delhi, vide its notification No. L-12012/207/93-IR. B-1 dt. 8-10-93, has reference the following dispute for adjudication to this Tribunal :—

Whether the action of the management of ANZ Grindlays Bank Kanpur in retiring Sri Chail Behari Sub-Staff from service w.e.f. 26-5-92 after redetermining his age is legal and justified ? if not to what relief the workman is entitled ?

2. Following facts are undisputed. The concerned workman Chail Behari was appointed in the sub staff cadre of erstwhile National Bank of India at its Kanpur Branch on 24-3-54. At that time he had given his date of birth as 24-6-34, which was accepted by the management without demur. Later on this bank was converted into ANZ Grindlays Bank. The concerned workman was medically examined by Dr. K. L. Rohtagi Medical Officer of the Bank on 12-4-92, who opined that at that time he was already about 60 years old. This medical opinion is Ext. M-2 on record. On the basis of this report, the management issued a show cause notice Ext. M-8 on 21-4-92 to show cause as to why he should not be retired having attained the age of 60 yrs. Subsequently the concerned workman by ext. M-9 was retired from service w.e.f. 15-5-90. Feeling aggrieved by this retirement the concerned workman has raised the instant industrial dispute. It has been alleged that his actual date of birth is 24-6-34. Hence after attaining the age of 60 years he could be retired on 24-6-94 alone. The opinion of the doctor is not decisive to determine the age. Hence his retirement order is bad in law.

3. The opposite party bank has filed reply in which it has been alleged that the opinion of doctor is admissible and can be acted upon for determining the age. Further the son of the applicant himself has recorded his date of birth in the service record according to which on 26-5-92 he was 41 years old. On this basis also the concerned workman's age was determined at 60 years. In this way retirement order was justified.

4. The concerned workman has filed rejoinder in which the above fact have been denied.

5. In support of his case the management has filed Ext. M-1 to M-9. Further reliance have been placed on the basis of evidence of Anshu Kumar an officer of the bank. The concerned workman has not adduced any oral evidence.

6. Having heard the authorised representatives of parties and further having gone through the record I am unable to accept the contention of authorised representative of the management bank. It has already been noticed that at the time of entry in service the concerned workman had given his date of birth as 24-6-34 which was never objected to by the management till 12-4-92. The concerned workmen was sent for medical examination. In this way in the service record the date of birth have been accepted without demur. There is ext. M-5 the extract of page 13 of birthrite settlement dt. 17-9-84, which inter-alia shows that when a workman attains age of 57 years the management bank has been given right to retire him if his efficiency is found to impaired otherwise he will not be compelled to retire before obtaining the age of 60 years. It appears that it was with object of determining the efficiency of the concerned workman that he was sent for medical examination. Doctor has not adversely reported about the efficiency of the concerned workman.

Instead he has proceeded to determine the age which was not accompanied with para 13 of Bipartite Settlement dt. 17-9-84. I am further of the view that correct age of any officer cannot be determined medically at this advance stage as ossification of bones takes place much before that. In any case the doctor's opinion is not a substantive piece of evidence. Instead it has got corroborative value. Further it is well set led law that in case of doctor's opinion there can be variation of age by two years either way. Thus in my opinion on the basis of this doctor's opinion alone the age of the concerned workman cannot be taken to be sixty years specially when his date of birth in service record is recorded as 24-6-34 and for which no objection was raised earlier. As such the concerned workman was entitled to continue up to 60 years treating his date of birth as 24-5-34.

7. Hence, my award is that retirement of Chail Behari the concerned workman w.e.f. 26-5-92 was neither legal nor justified. Since the concerned workman has already attained the age of superannuation during the pendency of the present reference, it is held that the concerned workman will be entitled for arrears of wages from 26-5-92 upto the date of his retirement i.e. 23-6-94 and this period will also be counted for giving retiral benefits.

8. Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 10 जून, 1996

का.आ. 2298 --- अौद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्तरण में, केन्द्रीय मरकार मध्य रेलवे के प्रबन्धतांत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट अौद्योगिक विवाद में केन्द्रीय मरकार अौद्योगिक अधिकारण; कानपुर के पंचपट वो प्रकाशित करती है, जो केन्द्रीय मरकार को 8-7-96 को प्राप्त हुआ था।

[मंड़ा पत्र—41011/55/89-आई आर बी आई]  
पी.जे. माइकल, डेस्क अधिकारी

New Delhi, the 10th July, 1996.

S.O. 2298.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur, as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of Central Rly. and their workmen, which was received by the Central Government on 8-7-1996.

[No. L-41011/55/89-IRBI]  
P. J. MICHAEL, Desk Officer

#### ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT  
PANDU NAGAR, DEOKIPALACE ROAD,

KANPUR

Industrial Dispute No. 219 of 1990  
In the matter of dispute between :

#### PRESIDENT

Rashtriya Chaturth Shreni, Rail Mazdoor Congress  
2/236 Namneir, Agra.

AND

Divisional Railway Manager,  
Central Railway, Jhansi.

#### AWARD

1. Central Government, Ministry of Labour, vide its notification No. L-41011/55/89 D-2(B) dated 19-10-1990, has referred the following dispute for adjudication to this Tribunal :—

Whether the D. R. M. (P) Central Rly. Jhansi was justified in terminating the services of Smt. Draupadi Dulari w.e.f. 29-7-88 in subordinate cadre at Agra Cantt. Railway Station? If not, to what relief the workman concerned are entitle ?

2. The concerned worklady Smt. Dhruti Dulari was given appointment w.e.f. 8-5-79 on compassionate ground after the death of her husband Het Ram. She was given job of B-1 category. She also obtained medical fitness certificate on 5-11-86. In spite of this screening and medical fitness the concerned worklady was not regularised. Hence she made a claim for the same. Being annoyed, the opposite party terminated the services of concerned worklady w.e.f. 29-7-88. It was further alleged that as she was to be given employment in place of her husband she ought to have been given a permanent post of watermen or room attendant etc. Instead she was employed as seasonal worker. Still termination of her services is bad in law.

3. It is supported by her affidavit.

4. The opposite party has not filed any reply. In support of he claim she has filed her affidavit. Further she has filed service book to show that she was engaged as casual labour. In my opinion from her affidavit supported by above service record it is established that concerned worklady was working as seasonal casual labour since 1979. Termination of services abruptly without any reason is bad in law.

5. Hence she will be entitled for reinstatement as seasonal casual labour with back wages at the rate at which she was lastly paid.

6. Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 10 जून, 1996

का.आ. 2299.—अौद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्तरण में केन्द्रीय मरकार, पंजाब एण्ड सिध बैंक के प्रबन्धतांत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट

आंदोलिक विवाद में केंद्रीय सरकार आंदोलिक अधिकारण, कानून के अधिकार को प्रत्यागत करता है, जो केंद्रीय सरकार को 8-7-96 को प्राप्त हुआ था।

[भंडवा एक्ट-12012/589/89 दंगा 20/आर्द्ध आर. (वी. 2)]

पा.जे. माईकल ईस्क अधिकारी

New Delhi, the 10th July, 1996

S.O. 2299.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Punjab and Sind Bank and their workmen, which was received by the Central Government on 8-7-1996.

[No. L-12012/589/89-D II(A)/IR (B II)]

P. J. MICHAEL, Desk Officer

#### ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, DEOKI PALACE ROAD, PANDU NAGAR,

KANPUR.

Industrial Dispute No. 140 of 1990

In the matter of dispute between :

Secretary,  
U. P. Bank Employees Congress,  
C/o N. C. Panday,  
C-323 G.T.B. Nagar,  
Kreli, Allahabad.

AND

Regional Manager,  
Punjab and Sind Bank,  
Lal Bagh, Lucknow.

#### AWARD

1. Central Government, Ministry of Labour, New Delhi, vide its notification No. L-12012/589/89-DII-A dated 24-5-90 has referred the following dispute for adjudication to this Tribunal:—

Whether the action of the management of Punjab & Sind Bank in respect of their Civil Lines Branch, Allahabad is not regularising the services of Shri Shankarlal, Ex-Sipoy-cum-messenger, and terminating his services is justified? If not, to what relief the workman concerned is entitled?

2. The fact of the case need not be given in detail. Suffice it to say that the concerned workman Shanker Lal has raised an Industrial Dispute against the opposite party Punjab and Sind Bank

in connection with his termination of services as Sepoy-Cum-messenger. The opposite party had resisted the claim during the pendency of reference. Parties have filed compromise dated 6-11-95, informing that management had taken back the concerned workman in service and as such award may be passed accordingly.

3. In view of above compromise the reference has become redundant.

B. K. SRIVASTAVA, Presiding Officer

संदेश दिनांक, 10 जून 1996

का.आ. 2300.—आंदोलिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के द्वान्तरण में, केंद्रीय सरकार, पंजाब एवं सिंध मिशन के प्रबालंगत के संबंध नियोजिकों अ.र. उनके कामानों के बाबत, अनुबन्ध में निर्दिष्ट आंदोलिक विवाद में केंद्रीय सरकार आंदोलिक अधिकारण, कानून के अधिकार को प्रत्यागत करता है, जो केंद्रीय सरकार को 8-7-96 को प्राप्त हुआ था।

[भंडवा एक्ट-12012/190/88 दंगा 2(ए) आर्द्ध आर. (वी. 2)]

पा.जे. माईकल ईस्क अधिकारी

New Delhi, the 10th July, 1996

S.O. 2300.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Punjab and Sind Bank and their workmen, which was received by the Central Government on 8-7-1996.

[No. L-12012/490/83-D. II(A)/IR(B-II)]

P. J. MICHAEL, Desk Officer

#### ANNEXURE

BEFORE SHRI B.K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, DEOKI PALACE ROAD, PANDU NAGAR,

KANPUR.

Industrial Dispute No. 104 of 1989.

In the matter of dispute between :

Prem Prakash and Rakosh Pal,  
C/o V. N. Sekhri,  
26/104 Birhana Road,  
Kanpur.

AND

Regional Manager,  
Punjab & Sind Bank,  
Lal Bagh, Lucknow.

## EX PARTE AWARD :

1. Central Government, Ministry of Labour, New Delhi, vide its notification No. L-12012/490/88-D2(E) dated 28-4-89 has referred the following dispute for adjudication to this Tribunal :—

Whether the action of the management of Punjab Sind Bank in terminating the services of S|Shri Prem Prakash and Rakesh Pal and not considering them for further employment while recruiting fresh hand under Section 25H of the I.D. Act is justified? If not, to what relief are the concerned workman entitled?

2. In the reference there are two workmen viz. Prem Prakash and Rakesh Pal. The case of Prem Prakash is that he was appointed as peon in the Latouche Road Branch Kanpur of the opposite party Punjab Sind Bank from 1983 to 1985 in broken periods. His services were brought to an end on 31-5-85 which is illegal because of breach of Section 25-G and H I.D. Act. The case of Rakesh Pal is that he was engaged as peon from 20-6-82 to 31-12-86 in broken period for period of 710 days. His services were brought to an end. It is bad in law because of breach of Section 25-G and H I.D. Act.

3. The opposite party has filed reply in which it is alleged that both the persons were engaged in leave vacancy. Prem Prakash had worked for 57 days in 1982 for 124 days in 1983, for 138 days in the year 1984, for 89 days in the year 1985 and 85 days in the year 1986. Rakesh Pal had worked for 83 days in the year 1983, for 93 days in the year 1984 and 44 days in the year 1985. It is denied that junior to concerned workman retained in service.

4. In the rejoinder nothing new has been said.

5. After exchange of pleadings the opposite party Bank accepted itself. In support of their respective case Prem Prakash and Rakesh Pal have filed affidavits on 25-6-1990 from which it is fully established that the junior to the workmen were retained in service and further that concerned workmen were not given opportunity before engaging new hands. In this way the case of breach of Section 25-G and H I.D. Act is established. Consequently my award is that the termination of the concerned workman is bad in law.

6. Consequently they are entitled for reinstatement in service taking to the consideration short duration of their services and casual nature of work, it is further held that he is not entitled for any back wages.

Dated : 24-6-1996.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 10 जुलाई, 1996

का.प्रा. 2301—आंतर्गिक विवाद प्रविनियम, 1947 (1947 का 14) की धारा 17 के अनुग्रह में, केन्द्रीय सरकार पंजाब एंड सिंध बैंक के प्रबन्धसंत्र के सबद्र नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट आंतर्गिक विवाद में केन्द्रीय सरकार आंतर्गिक अधिकारण, कानपुर के पंचायत को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-7-96 को प्राप्त हुआ था।

[पंजाब एल-12012/83/85-डी.ए/प्राई.वी. (2)]

पी.जे. माइकल, ईस्क अधिकारी

New Delhi, the 10th July, 1996

S.O. 2301.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Punjab and Sind Bank and their workmen, which was received by the Central Government on 8-7-1996.

[No. L-12012/83/85-D.IV(A)|IR(B-II)]

P. J. MICHAEL, Desk Officer

## ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING OFFICER CENTRAL GOVERNMENT INDUS-  
TRIAL TRIBUNAL-CUM-LABOUR COURT  
DEOKI PALACE, ROAD, PANDU NAGAR,  
KANPUR.

Industrial Dispute No. 91/96

In the matter of dispute between :  
Assistant General Secretary,  
U.P. Bank Employees Union,  
35/1, Kailash Mandir, Kanpur.

AND

Branch Manager,  
Punjab Sind Bank,  
78/56, Latouche Road Branch,  
Kanpur.

Shri V.P. Srivastava for the workmen.  
None for the management.

## EX PARTE AWARD :

1. Central Government, Ministry of Labour, New Delhi, vide its notification No. L-12012/83/85-D.IV(A) dated 5-6-86 has referred the following dispute for adjudication to this tribunal:—

Whether the action of the management of Punjab & Sind Bank in terminating the services of Shri Ram Lal Tiwari, temporary peon-cum-watchman, Latouche

Road, Kanpur Branch, with effect from 20-7-83 is justified? If not, to what relief is the workman concerned entitled?

2. The case of the concerned workman Ram Lal Tiwari is that he was engaged as peon-cum-watchman by the opposite party on 10-7-78 and continued to work upto 20-7-83 in broken period. The details of working days have been given in the application. Later on his services were terminated. Subsequently the opposite party have engaged other persons in his place and the concerned workman was not given opportunity. Further juniors to him retained in service.

3. The opposite party has filed reply in which it is alleged that concerned workman was engaged in leave vacancy. He had not completed 240 days in any year. Further juniors to him have not been retained in service.

4. In the rejoinder nothing new has been said.

5. After exchange of pleadings the opposite party failed to put in appearance inspite of notice. In support of the case the concerned workman Ram Lal Tiwari file his affidavit in which he has shown that juniors to him have been retained in service and no opportunity is given to him when new hand were engaged. As the evidence is unrebutted and accepted on the basis of this evidence it is proved that there has been breach of section 25-G and H.I.D. Act.

6. Accordingly my award is that termination of service of concerned workman was not justified. He is entitled for reinstatement in service taking to the consideration short duration of his service and casual nature of work, it is further held that he is not entitled for any back wages.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 11 जुलाई, 1996

का.आ. 2302—आंदोलिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसार में, केन्द्रीय सरकार मध्य रेलवे के प्रबन्धतांत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट आंदोलिक विवाद में केन्द्रीय सरकार आंदोलिक अधिकरण, वस्त्र न-1 के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-7-96 को प्राप्त हुआ था।

[पंज्या एन-41012/4/94-पार्ट आर (बी 1)]

पी.जे. माइकल, इम्फ़ क अधिकारी

New Delhi, the 11th July, 1996

S.O. 2302.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, as shown

in the Annexure, in the industrial dispute between the employers in relation to the management of Central Railway and their workmen, which was received by the Central Government on the 10th July, 1996.

[No. L-41012/4/94-JR(B-1)]

P. J. MICHAEL, Desk Officer

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, MUMBAI

PRESENT :

Shri Justice R. S. Verma, Presiding Officer.

Reference No. CGIT-1/25 of 1995

PARTIES :

Employers in relation to the management of South Central Railway, Secunderabad.

AND

Their workmen.

APPEARANCES :

For the Management—Shri V. Narayanan, Advocate.

For the Workman—Shri S. K. Yadav, Advocate.

INDUSTRY : Railways. STATE : Maharashtra.

Mumbai, the 28th day of June, 1996

#### AWARD

Shri S. K. Yadav for Smt. Goda Bai, widow of the deceased workman Rama Ganpati Mullick.

Shri V. Narayanan Advocate for management. Heard both the sides. The appropriate Government made the following reference on 15th June, 1995.

“Whether the action of the General Manager, South Central Railway, Secunderabad, in removing Shri Rama Ganpati from service is justified? If not, to what relief the workman is entitled to?”

2. The admitted facts of the case are that the workman had been removed from service on 24th September, 1990. He raised an industrial dispute but before the dispute could be referred to this Tribunal, he died on 12th November, 1994. In ignorance of the fact of his death, the appropriate Government referred this dispute to the Tribunal by order dated 15th June, 1996. The widow and legal heir of the deceased Smt. Goda Bai filed a written statement of claim challenging the legality and propriety and correctness of the termination of services of the deceased workman.

3. To my mind, reference to this Tribunal after the death of the workman was not competent in law and the reference made by the appropriate Government is bad in law and deserves to be rejected on this short ground.

4. Section 10(8) of the Industrial Disputes Act does not save proceedings pending conciliation or pending reference but only saves such proceedings, which are pending before a Labour Court, Tribunal or National Tribunal. This section reads as follows :

"No proceedings pending before a Labour Court, Tribunal or National Tribunal in relation to an industrial dispute shall lapse merely by reason of the death of any of the parties to the dispute being a workman and such Labour Court, Tribunal or National Tribunal shall complete such proceedings and submit the award to the appropriate Government."

5. A bare reading of this section goes to show that it applies only to pending proceedings. In the present case, no proceedings were pending in this Tribunal, on the date the workman died viz. 12th November, 1994. The proceedings came to be seized of by this Tribunal only after 15th June, 1995, when the appropriate Government chose to make a reference to this Tribunal. As such, the reference is bad in law and deserves to be rejected.

6. Mr. Yadav contended that the widow of the deceased workman should be granted liberty to agitate her claim before a competent forum and period spent during conciliation and during these proceedings should be held to have been spent bona fide in litigating over the matter, so that as and when she approaches the proper forum, the bar of limitation may not defeat her claim and the principle of res judicata may not come in her way. Mr. Narayanan could not validly refute this contention. Hence, I leave the widow of the deceased workman to agitate her claim before a competent forum and declare that she had been litigating this claim reasonably and bona fide, on the basis of a reference made by the appropriate Government with these observations, this reference is rejected as incompetent and bad. In the circumstances of the case, parties are left to bear their own costs.

R. S. VERMA, Presiding Officer

नई दिल्ली, 11 जुलाई, 1996

का. आ. 2303.—श्रीदीगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मिंडिकेट बैंक के प्रबंधन के बीच एन वैड में निर्दिष्ट श्रीदीगिक विवाद में केन्द्रीय सरकार श्रीदीगिक अधिकारण नं. 1, मुम्बई के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार द्वारा 9-7-96 को प्राप्त हुआ था।

[मंजुरा एल- 12012/290/95-माइआर (वी 2)]  
पा. जे. माईकल, ईस्क अधिकारी

New Delhi, the 11th July, 1996

S.O. 2303.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 1, Mumbai as shown in the Annexure, in the industrial dispute between employers in relation to the

management of Syndicate Bank and their workmen, which was received by the Central Government on the 9-7-96.

[No. L-12012/290/95-JR(B-II)]  
P. J. MICHAEL, Desk Officer

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, MUMBAI

PRESENT :

Shri Justice R. S. Verma, Presiding Officer.

REFERENCE NO. CGIT-1/11 OF 1996

PARTIES :

Employers in relation to the management of Syndicate Bank

AND

Their workmen.

APPEARANCES :

For the Management : No appearance.

For the Workman : No appearance.

INDUSTRY : Banking STATE : Maharashtra  
Mumbai, dated the 1st day of July, 1996

#### AWARD

None for the parties even though union has been served. No claim has been filed before the Tribunal. No body appears to show cause why the statement of claim could not be filed. Hence, I proceed to dispose of the dispute ex parte.

Since there is no statement of claim, it can be assumed that the union has no material to support its claim. The claim is rejected ex parte and award is made accordingly.

R. S. VERMA, Presiding Officer

नई दिल्ली, 11 जुलाई, 1996

का. आ. 2304.—श्रीदीगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मिंडिकेट बैंक के प्रबंधन वात्र के संबंध नियोजकों और उनके कर्मकारों के बीच, एन वैड में निर्दिष्ट श्रीदीगिक विवाद में केन्द्रीय सरकार श्रीदीगिक अधिकारण नं. 1, मुम्बई के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार द्वारा 9-7-96 को प्राप्त हुआ था।

[मंजुरा एल- 12012/291/95-माइआर (वी 2)]

पा. जे. माईकल, ईस्क अधिकारी

New Delhi, the 11th July, 1996

S.O. 2304.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 1, Mumbai as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Syndicate Bank and their workmen, which was received by the Central Government on the 9-7-96.

[No. L-12012/291/95-JR(B-II)]  
P. J. MICHAEL, Desk Officer

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, MUMBAI

PRESENT :

Shri Justice R. S. Verma, Presiding Officer.

REFERENCE NO. CGIT-1/12 OF 1996

PARTIES :

Employers in relation to the management of Syndicate Bank



timely effort in the direction and hence he should not be permitted to complain. The workman took 43 days in making the relevant enquiries. It was also submitted that the workman took the promotional test for next year i.e. 1994 but failed. He could succeed only at 1995 examination and has been granted promotion on that basis. Upon such and certain other pleas, the claim of the workman has been resisted.

9. After hearing Mr. Deshmukh for the management and having perused the record, I am of the view that the workman can not be faulted at all for not taking the 1993 examination and it was a patent illegality on the part of the management, not to have included the workman's name in the 1993 list of eligible candidates, entitled to take the examination. True, that the workman was aware of the date of the examination but since his name admittedly did not figure in the relevant list and he was not sent a call letter, it would have been an exercise in futility on his part to go to the examination hall. Merely because, he made delayed enquiries, would not obliterate the fact that he lost a promotional opportunity due to callous negligence on the part of the officials of the management.

10. The fact that the workman failed at the 1994 test also does not alter this situation. It is a notorious fact that these examinations, though examine a candidate for his proficiency in given subjects, are also a matter of luck and chance. From the fact that the workman failed at the 1994 examination, it can not be concluded that he would have failed at the 1993 examination also. Hence, I find that management has committed a serious lapse in omitting the name of the workman from list of examinees for 1993 and an equally serious lapse in not sending him a call letter.

11. Now, the question is as to what just and proper relief can be granted to the workman. In my opinion, the management should, within three months hold an examination for the workman based on the 1993 syllabus and give him an opportunity to take the examination. In case, he passes the said examination, then on the basis of other germane and relevant criteria available for 1993 promotion, his case should be considered for promotion against that year's quota and if found suitable, should be granted promotion w.e.f. the date his juniors were promoted and he should be given due seniority and all consequential benefits. However, if he fails to take the examination or if he fails after taking the test or does not fulfil the other requisite criteria for promotion for 1993, then he shall not be entitled to any relief.

12. I hope that the management would take stringent action against the officials and the officers, who were responsible for not entering the name of the workman in the 1993 eligibility list and due to whose fault, the workman had to undergo these travails.

13. Since the union has not appeared today, I make no order as to costs and make an award as stated above.

R. S. VERMA, Presiding Officer

नई दिल्ली, 11 जून 1996

का. श्रा. 2306.—श्रौद्धोगिक विवाद अधिनियम, 1947

(1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार यूनाइटेड कम्पनियल बैंक के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुधंध में निर्दिष्ट श्रौद्धोगिक विवाद में केन्द्रीय सरकार श्रौद्धोगिक अधिकरण नं. 2, बम्बई के बंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-7-96 को प्राप्त हुआ था।

[संलग्न नं. 12012/426/92-आईआर(दी 2)]

पी. जे. माइकल, डैम्प अधिकारी

New Delhi, the 11th July, 1996

S.O. 2306.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government

hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Bombay as shown in the Annexure, in the industrial dispute between the employers in relation to the management of United Commercial Bank and their workmen, which was received by the Central Government on the 9-7-96.

[No. L-12012/426/92-IR(B-II)]

P. J. MICHAEL, Desk Officer

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, MUMBAI

PRESENT :

Shri S. B. Panse, Presiding Officer.

Reference No. CGIT-2/31 of 1993

Employers in relation to the management of UCO Bank

AND

Their workmen

#### APPARANCES :

For the Employer : Mr. K. L. Malkar, Representative.

For the Workmen : Mr. N. M. Maheshwari & J. C. Shukla, Representatives.

Mumbai, dated 18th June, 1996

#### AWARD-PART-II

On 21st September, 1995 by Part-I Award, I came to the conclusion that the domestic enquiry which was held against the workman was against the principles of natural justice. As settled law the management was allowed to lead evidence to substantiate its action.

2. In short, the facts of the case can be narrated as follows: "Vijay V. Khadilkar was the peon of UCO Bank. He was working at Mahalaxmi Branch at Chandrapur. On 15th January, 1988 he was on leave. He came to the Bank to invite the employees to attend a birthday celebration at his premise. It is alleged by the management that the workman through his friend handed over a withdrawal slip of Rs. 6,000 from the account of Kum. Kalpana S. B. Account No. 1687. The token was given to the bearer of the slip. The worker made entry in the token register and later on the payment was made. The management pleaded that the worker then removed the withdrawal slip from the bunch of the slips with a view to conceal the detection of fraud and wipe out the evidence. Then the inquiry started, then the worker confessed before the manager Agrawal regarding his misdeeds on 2nd February 1988. When the superior came there for further investigation again, by another confession letter dtd 4-2-88 he made some points more clear. In a domestic inquiry the worker was found guilty and a report to that effect was made by the Inquiry Officer. The disciplinary authority accepted the report and awarded the punishment of dismissal. His appeal was also rejected.

3. The worker denied all these charges and submitted that he was made to consume alcohol and under influence he was asked to write the confessions. It is further submitted that other employee who have alleged to have committed such irregularities were not given such a harsh punishment.

4. The issues that fall for my consideration and my findings thereon are as follows :

ISSUES	FINDINGS
2. Whether it is proved that while awarding the punishment to the workman he was discriminated ?	No.
3. Whether the action of the management of Dy. General Manager United Commercial Bank, Bombay in dismissing the services of Shri Vijay Vithobaji Khadilkar is justified ?	Not justified
4. If not, to what relief the concerned workman is entitled to ?	As per final order

#### REASONS

5. While answering issue No. 1 I have observed that a chargesheet was required under para 19.3 of Bi-partite settle-

ment was not given to the worker. It is a material and caused prejudice. As the management was allowed to lead evidence to substantiate its action, it was necessary to give a chargesheet to the workman in the present reference. It is because the Tribunal sits as an inquiry officer when it comes to the conclusion that the domestic inquiry which was held against the workman is against the Principles of Natural Justice. Here in this case the management had not produced on the record the chargesheet which is to be given to the workman. The flaw, still continues.

6. The management relied upon State Bank of Bikaner and Jaipur & Ors. V/s. Gover 1996 FLR 72. That was a case wherein their Lordships have observed the show cause notice which was given to the worker gives the details of the charge. The worker understood the allegations and effectively replied it. It is observed that the provisions of the regulation have been substantially complied with though not formally. Here in this there is a specific demand of the worker of the issuance of chargesheet as per the Bi-partite settlement. That demand was not complied with. The facts in the present case are different than the above said authority.

7. For the sake of argument it is to be said that in view of the showcause notice (Exhibit-5/5) the worker is aware of the chargesheet. The charge against him was that on 15th January, 1986 an amount of Rs. 6,000/- was withdrawn by him from S.B. A/c. 1687 belonging to Kum. Kalpana A. by forging her signature on the withdrawal slip from the voucher bundles on 15-1-88 with a view to conceal the detection of fraud and wipe out any evidence against him.

8. Vijay Khadilkar (Exhibit-9) affirmed that he is physically handicapped. He was on leave on 15th January, 1988 and has been to the bank to invite staff members for the birthday function of his child. He denied that he withdrew the amount of Rs. 6,000/- by forging the signature of Kum. Kalpana A. He further affirmed that on 2nd February, 1988 the manager intoxicated him in the Bank premises, threatened and got the confession from him. He affirmed another letter of confession from him. He affirmed another letter of confession on 4th Feb., 1988 in front of the superiors by using undue influence. He affirmed that at that time also he made to drink. He affirmed that he was forced to deposit a sum of Rs. 6,000 in the bank which he did, by borrowing the amount from grandmother.

9. Mirza Beigh (Exhibit-10) a daftary of the Branch affirmed that on 2nd February, 1988 the manager Aggarwal got the confession letter written by the worker under the influence of liquor. He further affirmed that Aggarwal threatened him to take him to the police. He affirmed that he was asked to bring the liquor from the market. The worker then was made to drink the same. He denied that he was a witness in the inquiry proceeding. He also denied that he is deposing falsely on the suggestion of the worker.

10. It is tried to argue on behalf of the management that if those confessional letters would have taken from the worker by using undue influence then he would have complained to superiors or to the police immediately but he did not do so. It is common knowledge that the workers are afraid of doing such things. I am not inclined to accept that Branch Manager would compel a worker to drink alcohol in his cabin and get his concession recorded. There are number of incidences wherein it is seen that an assurance is given by the management that if the concerned person pleads guilty then he will be pardoned.

11. Agarwal (Exhibit-13) the Branch Manager, affirmed that Chandekar who is a relative of Kalpana Alok complained regarding non-issuance of a pass book which was given for making entries. She also complained that there is wrong entry of removal of Rs. 6,000/- on Kalpana's Account on 15th January, 1988. After receiving the complaint he asked the Asstt. Manager to verify the correctness of the complaint. Then they traced out that, the withdrawal slip and the pass book were not available. He himself verified it. The employees of the bank came to know regarding it.

12. Khadilkar affirmed that on 2nd February, 1988 at about 4.00 p.m. the worker came to him and informed that he want to confess regarding the withdrawal of amount from Kalpana's

Account. He affirmed that in the presence of other employees namely Rastogi Thate and Ors. he confessed it and signed it (Exhibit-5/2).

13. Hohit Rastogi (Exhibit-24) the Clerk cum Assistant Cashier who was in the Branch on 2nd February, 1988 in examination in chief affirmed the correctness of the letter dtd. 2-2-88 and acceptance of the guilt by the worker by, in his cross-examination he had deposed contrary to his earlier statement. He accepts that A. C. Agarwal the manager was dictating to the worker Khadilkar and thereafter he signed the letter. He further accepted that the worker was under the influence of liquor when he gave the letter dtd. 2-2-88. He further stated that Khadilkar never came to him, and told him that he was giving a letter to the Bank. According to him the affidavit which was prepared by the Bank was signed by him. There is no case made out by the management after the cross-examination that the witness is won over. Under such circumstances, I rely on the testimony of Rastogi. As the worker was under the influence of alcohol while writing the letter dtd. 2-2-88 it cannot be termed as a voluntary confession. Whatever stated there is under the influence of alcohol and does not lead to acceptance of guilt.

14. W. T. Thate (Exhibit-25) was the Asstt. Manager at Mahakali Branch at the relevant time. He corroborated Agarwal. He denied that the letter was dictated by Khadilkar and Agarkar wrote it down. He affirmed that the worker had not consumed alcohol that day. According to him that letter was written in his presence then the manager asked him to sign but after seeing the letter he admits that it does not bear his signature. That creates doubt in the mind regarding the testimony of Thate.

15. There is another letter dtd. 4th February, 1988. The worker affirmed that, that letter was also bought written by him by using undue influence by the officer. It is pertinent to note that Vinod Lal Manani (Exhibit-22) Deputy Chief Officer of the Bank came to Chandrapur for investigation. It appears that to fill up the lacunas which were there in the earlier confession letter he got another letter prepared by the workman. Infact Manani filed an affidavit (Exhibit-22) by way of examination-in-chief but he did not appear before the Tribunal. He did not make himself available for cross-examination. In the result it has to be said that there is no evidence of Manani to support the case of the management.

16. That takes me to whether there was a withdrawal by the worker from the account of Kalpana. There is a procedure for withdrawal of amount from Savings Account. When a person wants to withdraw an amount he has to produce a pass book along with withdrawal slip duly signed on the front side and on the back side. So far as the signing in the back side is concerned. It is signed by the person who presents the same. The clerk at the counter gives a token on the basis of the slip, makes a debit entry in the account enters the token no. cheque no. or a name in the token register and passes it all to the concerned officer for passing it. The concerned officer then verified the signature, confirms the balance and then passes the slip for payment. Then it goes to the cashier who makes the payment to the token holder.

17. Hemant Fanikar (Exhibit-22) affirmed that on 15 January, 1988, he received the slip of withdrawal of Rs. 6,000 of Kalpana's account. He handed over the token to person concerned and made the debit entry. He affirmed that the token register was filled by the worker then it went to Thate who was the concerned officer at that time. He verified the signature on the voucher and passed it for payment. None of them affirmed that the slip was presented by the worker, that it was in his handwriting and that he received the payment. The only role which appears to be that of the worker as per the testimony of Walinkar that the token register was filled up by the worker. The Union by an application Exhibit-26 asked the management to produce the token register to bring on the record the correct position. But the management informed the Tribunal that the token register is misplaced. This being a very important piece of evidence it would have been produced before the inquiry officer but it appears to have not been produced. Further more, when the Union wanted it to be produced by the management, it did not produce it. Therefore I am not inclined to accept that the token register was in the handwriting of the workman.

18. None of the management witnesses affirmed that they had seen the worker removing the withdrawal slip from the bunch of 15th January, 1988. For that purpose it was necessary to have on the record that the worker was in a position to go to the record room or the place where the bunches are kept to remove the particular slip. Normally the daftary is in charge of such a record. It is likely that in that branch there might not be any place which can be called as a record room. It is likely that there might be a shelf on which such a record is kept which is easily accessible to anybody from the branch. But there should be such evidence on record. It is not in the record that it was the duty of the peon to pin up the withdrawal slips of a particular day in bunch. Unless such a type of evidence is in the record, the charge on the worker that he took away the slip and destroyed cannot be said to be proved.

19. So far as the discrimination in punishment is concerned the management in the written statement had denied the contention taken in the claim, para 6. So far as the worker, Masurkar is concerned, from the judgement of Justice Jamdar which is on the record it reveals that the facts are quite different from the facts before me. He admitted his guilt in clear terms and claimed the benefit of it. The ratio in that case has no application. It can be further seen that, that was the order of the Tribunal and not of the management.

20. So far as the case of Mohite Asstt. Cashier or Ambajhan in Estate Branch, Nagpur is concerned there is no record how the facts of that case are similar to the facts of the present case and the management discriminated the worker while awarding the punishment.

21. From the above said discussion I find that the management had failed to prove that the worker withdrew Rs. 6,000 from the account of Kalpana and that he removed the withdrawal slip with a view that his crime should not be detected. In the result the dismissal order which is passed against the worker is unjustified.

22. Vijay Khadikar (Exhibit-9) in the cross-examination has affirmed that he is running a tea stall. That itself goes to show that he is gainfully employed. How much he earns is within his knowledge. Under such circumstances the workmen is not entitled to backwages in the result I record my findings on the issues accordingly and pass the following order :

#### ORDER

1. The action of the management of the Deputy Manager, U.C.O. Bank, Mumbai in dismissing the services of Shri V. V. Khadikar is not justified.
2. The management is directed to reinstate the workman forthwith.
3. He is to be treated in continuous service but he is not entitled to any backwages or other monetary reliefs from the date of suspension till today.
4. No order as to costs.

S. B. PANSE, Presiding Officer

नई दिल्ली, 9 जुलाई, 1996

का. आ. 2307—श्रीद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैलाडीसा आयरन और प्रोजेक्ट के प्रबंधतान के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट श्रीद्योगिक विवाद में केन्द्रीय सरकार श्रीद्योगिक अधिकरण जबलपुर के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 25-6-96 को प्राप्त हुआ था।

[संख्या 2/17 कोन-11/डी III (बी)/टी II (ए)ii]  
बी. एम. डेविड, डैस्क अधिकारी

New Delhi, the 9th July, 1996

S.O. 2307.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Bailadila Iron Ore Project and their workmen, which was received by the Central Government on the 25-6-96.

[No. 2/17 Con.II|D.III(B)|D.II(A)]  
B. M. DAVID, Desk Officer

#### ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM-LABOUR COURT,  
JABALPUR (MP).  
Case Ref. No. CGIT/LC(R)(227)/1987

#### BETWEEN

The Secretary, Bastar Khadan Mazdoor Sangh (HMS) 2/B New Colony, P. O. Kirandul, District Bastar (MP).

AND

The General Manager Bailadila Iron Ore Project, Depot No. 14 Kirandul (MP).

PRESIDED IN By Shri Arvind Kumar Awasthy.

#### APPEARANCES :

For Workman : Shri R. K. Gupta Advocate.

For Management : Shri Rajendra Menon, Advocate.

INDUSTRY : Iron Ore Mine DISTRICT : Kirandul (MP).

#### AWARD

Dated : April 30, 1996

This is a reference made by the Central Government, Ministry of Labour vide its Notification No. 21/7 Con.II|D.III(B)|D.IIA dated 27-10-1987 for adjudication of the following industrial dispute :—

#### SCHEDULE

“Whether the action of the General Manager Bailadila Iron Ore Project, Deposit No. 14 Kirandul in not giving effect to the memorandum dt. 14-7-77 on the ground that it is violative of the settlement dated 30-10-71 is fair and justified ? If not, to what relief the workman Smt. L. P.D. Lorenzo Mid-wife is entitled ?”

2. Admitted facts of the case are that the workman Smt. L. P. D. Lorenzo, was appointed on 27-1-73 as a mid-wife. It is also the common ground that the management issued a Memorandum dated 14-7-77 that the workman shall be imparted with training and thereafter his name will be considered for the post of mid-wife.

3. The case of the workman is that the workman was eligible for promotion as a Nurse and there was vacancy of the post of nurse but the management has

not provided her promotion inspite of the fact that she had completed the training as per the Memo dated 14-7-77. The workman has claimed for promotion to the post of Nurse and for the consequential benefits.

4. Management has filed the application to pass no dispute award as the workman has expired on 10-9-93 and that her claim was contrary to the settlement dated 30-10-71 and statutory requirements.

5. Terms of reference was made the issue in the case.

6. From the application and the death certificate, it is clear that the workman expired on 10-9-93. Counsel for the workman has not filed the reply of management's application regarding the death of the workman and the legal representative of the workman has not applied for the continuation of the reference.

7. Consequently it is clear that the legal representative of the workman are not interested in pursuing the dispute after her death more than 2-1/2 years back i.e. 10-9-93. Consequently, I have no option but to pass no dispute award. No dispute award is hereby passed. No order as to costs.

ARVIND KUMAR AWASTHY, Presiding Officer

नई दिल्ली, 9 जुलाई, 1996

का.आ. 2308.—श्रोदीगिक विवाद अधिनियम, 1947 (1947 का 14) को धारा 17 के अनुसरण में, केन्द्रीय सरकार इंटररेशनल एयररोट आर्टिरिटा आप. इंडिया के प्रबन्धन के संबद्ध नियोजकों और उनके कर्तव्यों के बीच, अनुदंध में निर्दिष्ट श्रोदीगिक विवाद में केन्द्रीय अधिकरण कोलम के पंचपट को प्रकाशित करता है, जो केन्द्रीय सरकार द्वारा 4-7-96 को प्राप्त हुआ था।

[रुद्धा पा. 11012/21/93—आईआर (विवाद)]

धा. एम. डेविड, ईस्क अधिकारी

New Delhi, the 9th July, 1996

S.O. 2308.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Kollam as shown in the Annexure, in the industrial dispute between the employers in relation to the management of International Airports Authority of India and their workmen, which was received by the Central Government on 4-7-1996.

[No. L-11012/21/93-IR(Misc.)]

B. M. DAVID, Desk Officer

#### ANNEXURE

IN THE COURT OF THE INDUSTRIAL TRIBUNAL,  
KOLLAM

(Dated, this the 3rd day of June, 1996)

PRESENT :

Sri C. N. Sasidharan, Industrial Tribunal.

IN

Industrial Dispute No. 19/94

#### BETWEEN

The Airport Director, International Airports Authority of India, Civil Aerodrome, Trivandrum.

(Sri K. L. Narasimhan, Advocate, Trivandrum).

#### AND

The President, International Airport Authority Employees Union, T. C. No. 36/557, Elanipuram Lane, Vellakadavu Post, Trivandrum.

(By Sri R. Raghavan Pillai, Advocate, Trivandrum).

#### AWARD

The Government of India as per Order No. L-11012/21/93-IR (Misc.), dated 13-9-1994 has referred this industrial dispute by this Tribunal for adjudicating the following issue :

"Whether the action of the management of International Airport Authority of India, Trivandrum Airport, Trivandrum, in placing Sri T. Ganesan, Lift Operator in category 'D' carrying pay scale of Rs. 495—877 is legal and justified? If not, to what relief the workman is entitled?"

2. The union espousing the cause of the workman involved in this dispute Sri T. Ganesan has filed a detailed claim statement and the contentions are briefly as under : The legal validity of the action of management in meeting out unjust treatment to the workman in isolation is questioned in this dispute. The union denies the stand of management that Sri Ganesan gave his explicit willingness to get absorbed in the post of lift operator in the existing pay scale of Rs. 495—837 under the present management, International Airport Authority of India (IAAI). Sri Ganesan was in the pay scale of Rs. 950—1500 in National Airport Authority (NAA). At the time of absorption none of the employees were informed about the corresponding pay scales in IAAI. The only document made available was the terms and conditions. There was positive promise in these documents regarding protection of gross emoluments and corresponding pay scales in IAAI. The terms and conditions were framed by the management of IAAI with management of NAA. The employees were never consulted in this regard. The absorptionists were expecting a better deal in IAAI whatever terms and conditions were offered and accepted in good faith. There was specific assurance regarding protection of gross emoluments in the corresponding existing pay scales under the new management. The corresponding pay scale in IAAI related to Rs. 950—1500 scale in NAA is Rs. 560—1140. But the workman was not given the corresponding pay scale. The action of management is unfair labour practice. He was offered an incredibly lower scale which is reserved for semi-skilled employees while all the absorptionists who were in the scale of Rs. 950—1500 in NAA were offered the corresponding scale of Rs. 560—1140 and some categories were offered higher pay scale. The workman was not demanding any special treatment in isolation but the demand was only for treatment in accordance with the assurance given by the new management. The new management could have informed the workman that his absorption can only be in a semi-skilled scale category with pay scales at par with other lift operators. By not doing so the workman did not get any opportunity to exercise his mind in a proper way. He was a skilled worker in CPWD and later NAA which is now denied to him. It is a case of blatant violation of the principles of natural justice.

3. The management opposes the claim of union. The contentions of management are briefly as under : The workman was appointed in CPWD on 23-1-1967 as lift operator and absorbed in NAA with effect from 1-7-1990 on permanent basis in the pay scale of Rs. 950—1500. His officiating pay at the time was 1070. He was again transferred to IAAI with effect from 1-4-1991. There the post of lift operator which is in the pay scale of Rs. 495—837 is in Group D. The workman represented requesting Inclusion of lift operator in Group C category which was examined and informed him that it cannot be considered in isolation as IAAI has its own scale. As per the terms and conditions of absorption the gross emoluments which the employees were drawing in NAA have been reckoned and there is no reduction in the gross emoluments of Sri Ganesan. The basic

pay in the corresponding IAAI scale was arrived at by calculating backwards from the emoluments drawn at NAA as on 31-3-1991 for final pay fixation. In IAAI there are approximately 35 posts of lift operator and this category is in Group-D. Sri Ganesan was absorbed on the basis of exercising option as per the pay scales in existence in IAAI and as per the terms and conditions which was accepted by the absorptionist. There is no monetary loss as pleaded by the workman. The present dispute is not an industrial dispute as the right of individual worker is now raised. On the date of absorption the workman was drawing Rs. 1970 under the previous management and under the new management his emoluments was fixed as Rs. 2,203.40 in the pay scale of Rs. 495—837. The wage structure of all employees in IAAI was subsequently increased with effect from 1-4-1991 and the total emoluments of Sri Ganesan was fixed at Rs. 2,355.50. The workman is entitled to protection of emoluments only and that has been protected also. According to the management their action is legal and justified and the workman is not entitled to any relief.

4. No evidence has been let in by either side. However the documents produced on the side of the union have been marked as Exts. W1 and W2. The documents produced on the management side have been marked as Exts. M1 to M6.

5. The management has raised a preliminary objection to the effect that the present dispute is not an industrial dispute as it is raised by an individual workman and it is not regarding termination of service and matters connected with that. The dispute is raised by the union for the workman which is not prohibited under the Industrial Disputes Act. Therefore this contention of management is devoid of merit and is only to be rejected.

6. The only point remaining for consideration is whether the action of management in placing the workman in category-D in the pay scale of Rs. 495-837 is legal and justified. The workman was absorbed under the new management of IAAI on the basis of his willingness admittedly given by him and the terms and conditions of absorption. As per Ex. W1 terms and conditions the gross emoluments of the workman was admittedly protected. As a matter of fact his total emoluments fixed was more than the amount he was drawing under the previous management. He was admittedly given option also for getting absorbed. The post of lift operator is under category-D in IAAI and according to the management there are about 35 posts of lift operators. The workman was given pay scale of lift operator in category-D and his pay was fixed accordingly. The action of management is legal and justified.

7. The main contention of the union is that the management as per clause (a) under the item 'pay' in page 2 of Ext. W1 has assured that the gross emoluments of the absorptionists as on 31-3-91 will be protected in the corresponding existing IAAI scales provisionally and the same will be fixed afresh in the revised IAAI scale as if they were appointed in the revised scales directly on 1-4-1991. But according to the union the management has now cheated the workman against the above assurance. According to the union the workman was in the pay scale of Rs. 950-1500 in NAA and the corresponding scale in IAAI is Rs. 560-1140. But the management has given him the pay scale of Rs. 495-837 only which is reserved for semi-skilled employees. There cannot be any dispute that the post of lift operator under IAAI is in category-D in the pay scale of Rs. 495-837. The workman was admittedly given that pay scale. His request for including him in category-C was examined and disallowed as per Ext. M3 order mainly on the ground that IAAI is having its own pay scale which has no connection with the pay scales under the Government of India. As a matter of fact the request of the workman is to consider his case in isolation and to give him the pay scale of category-C employees. If that is allowed that will definitely create problems and resentments among other lift operators in the new management. Therefore the action of management cannot be held to be illegal and unjustified.

8. It is also contended that the existing pay scales were not made known to the employees and important documents like the "Hand Book on service conditions" were also not

made available and thereby the workman was denied opportunity to understand all the consequences before submitting his willingness. Now with regard to the contention I may state that it can only be considered as an after thought. The workman had every opportunity to demand for such documents and details before submitting his willingness for absorption in IAAI. After having accepted the terms and conditions and giving his willingness for absorption on the basis of the terms and conditions he cannot now turn round and contend that the management has now cheated him particularly on the ground that his gross emoluments was reckoned and there is no monetary loss also. That being the position the question of violation of the principles of natural justice does not arise.

9. Admittedly the pay scale of lift operator in NAA is Rs. 950-1500 and the pay scale of lift operator in IAAI is Rs. 495-837 which has been revised to Rs. 950-1580 with effect from 1-9-1989. It is mentioned in the terms and conditions also and the workman has accepted that before absorption as he has given his willingness. It is not disputed before this Tribunal also. The management has stated in their written statement the details of pay drawn by the workman in NAA at the time of absorption and the pay fixation in IAAI. That is not disputed by the workman. As stated by the management in paragraphs 12 to 17 of the written statement the total emoluments of the workman as on 31-3-1991 in NAA was Rs. 1970/- which was revised as Rs. 2203/- in IAAI on 1-4-1991. That was subsequently raised to Rs. 2355.50 for the month of April 1991. It is thus clear that his emoluments was protected and there is no monetary loss as pleaded by the union.

10. In view of what is stated above I hold that the action of management of IAAI in placing Sri. Ganesan, lift operator in category-D carrying pay scale of Rs. 495-837 is legal and justified and hence he is not entitled to any relief.

An award is passed accordingly.

C. N. SASIDHARAN, Industrial Tribunal

## APPENDIX

### Exhibits marked on the side of the Workman

Ext. W1 : Photostat copy of terms and conditions for absorption of National Airport Authority staff by the International Airport Authority of India.

Ext. W2 : Clarification note regarding the terms and conditions dated 31-3-91.

### Exhibits marked on the side of the Management

Ext. M1 : Photostat copy of terms and conditions for absorption of National Airport Authority staff by the International Airport Authority of India.

Ext. M2 : Clarification note regarding the terms and conditions dated 31-3-1991.

Ext. M3 : Pay scales of Grade C and D employees.

Ext. M4 : Series (6 pages) Statement of pay details drawn by Sri. T. Ganesan in the pre-revised and revised scale.

Ext. M5 : Last pay certificate of Sri. Ganesan under National Airport Authority.

Ext. M6 : Memorandum of International Airport Authority of India dated 3-6-1992 with copy to Sri Ganesan.

नई दिल्ली, 9 जूलाई, 1996

का.आ.ट. 2309.—शोधेंगक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के मुन्सरण में, केंद्रीय सरकार केंद्रीय व्यवायार निगम के प्रबन्धताल के संबद्ध नियोजकों और उनके कर्मकारों के दोन, अनुदंधि में निविट

श्रौद्धोगिक विवाद में केन्द्रीय सरकार श्रौद्धोगिक अधिकरण जबलपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार वो 12-6-96 को शास्त्र हुआ था।

[संख्या एन- 42012/9/89-माईक्रो (विविध)]  
मि. एम. वेविड, डेस्क अधिकारी

New Delhi, the 9th July, 1996

S.O. 2309.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Central Warehousing Corporation and their workman, which was received by the Central Government on 12-6-1996.

[No. L-42012/9/89-IR(Misc.)]  
B. M. DAVID, Desk Officer

#### ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (MP)  
CASE REF. NO. CGIT/LC(R)(48)/1990

#### BETWEEN

Shri Chandra Shekhar Chourey S/o Shri Shankar Lal Chourey R/o Bayawara, P.O. Panawar Kheda, District Hoshangabad (MP).

#### AND

The Regional Manager, Central Warehousing Corporation, Regional Office, 52-53, Amar Niwas, New Market, Bhopal (MP)-462 003.

PRESIDED IN : By Shri Arvind Kumar Awasthy.

#### APPEARANCES :

For Workman : Shri R. C. Srivastava, Advocate.

For Management : Shri R. Menon, Advocate.

INDUSTRY : Ware Housing Corp. DISTRICT : Bhopal (MP)  
AWARD

DATED : MARCH 18, 1996

This is a reference made by the Central Government, Ministry of Labour, vide its Notification No. L-42012/9/89-IR (Vividh) Dated 12-2-1990, for adjudication of the following industrial dispute :—

#### SCHEDULE

"Whether the discharge/retrenchment from service of Shri Chandra Shekhar Chourey, WAG-II by the Regional Manager, Central Warehousing Corporation, Regional Office, Bhopal vide office order No. CWC/RO/BPL/I-WAG-II (React)/Estt. dated 27-1-88 is just and fair in the eyes of Law in view of terms of appointment vide office memo No. CWC/RO-BPL/I-DW/Estt.86-87/16156 dated 21-2-87. If not, whether the workman is entitled for re-instatement in service. If yes, from which date & with which other benefits?"

2. Admitted facts of the case are that the workman was engaged as WA-II with effect from 6-3-87 at Central Warehousing Corporation, Bhind and the services of the workman were terminated with effect from 30-1-88.

3. The case of the workman is that the workman was appointed in clear vacancy and he was working as a Godown-keeper where no typing work was required; that the workman

was not allowed to appear in typing test and the services were illegally terminated.

4. The case of the management is that the workman was engaged on daily wages for the period of three months; that the workman failed in written and typing test on 12-4-87 which was for the appointment on regular post; that the services of the workman were terminated after complying with the provisions of Sec. 25F of the I.D. Act.

5. Terms of reference was made in the issue in the case.

6. From the appointment letter of the workman, it is clear that the workman was appointed for the period of three months only and he was daily rated employee. Consequently termination of the workman from the service after the completion of term of contract is not a retrenchment. However, from the letter dated 27-1-1988 of the Regional Manager, Bhopal, it is clear that the workman has failed in the written and typing test. Consequently, the workman was rightly discharged from the service and it was in accordance with the terms of the appointment of the workman. Workman is not entitled for any relief. Reference is answered in favour of the management. No order as to costs.

ARVIND KUMAR AWASTHY, Presiding Officer

नई दिल्ली, 9 जुलाई, 1996

का.आ. 2310.—श्रौद्धोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नेगजीन और इंडिया लि. के प्रबंधतात के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट, श्रौद्धोगिक विवाद में केन्द्रीय सरकार श्रौद्धोगिक अधिकरण जबलपुर के पंचपट को प्रकाशित करती है, जो सरकार वो 12-6-96 को शास्त्र हुआ था।

[संख्या एम-27012/6/88-डी III (बी)]

बी. एम. वेविड, डेस्क अधिकारी

New Delhi, the 9th July, 1996

S.O. 2310.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure in the industrial dispute between the employers in relation to the management of Manganese Ore (India) Ltd., and their workmen, which was received by the Central Government on the 12-6-96.

[No. L-27012/6/88-D.III(B)]

B. M. DAVID, Desk Officer

#### ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (MP).

Case Ref. No. CGIT/LC(R)(59)/1989

#### BETWEEN :

Shri Chagalal Rambali Kachhi R/o Mansar Mines, Tahsil Ramtek, District Nagpur (M S) Post Khairy-Bijewada (M S).

#### AND

The Chairman-cum-Managing Director, M/s. Manganese Ore (India) 3 Mount Road Extension, Sadar, Nagpur (M S)-440 001.

## PRESIDED IN :

By Shri Arvind Kumar Awasthy.

## APPEARANCES :

For workman.—Shri S. S. Gadge, Advocate.

For Management.—Shri A. K. Shashi, Advocate.

INDUSTRY : Manganese Mine DISTRICT : Nagpur (M.S.).

## AWARD

Dated, March, 12th 1996

This is a reference made by the Central Government, Ministry of Labour, vide its Notification No. L-27012/6/88-D-III(B) Dated 8 March, 1989, for adjudication of the following industrial dispute :—

## SCHEDULE

"Whether the action of the management of M/s. Manganese Ore (India) Ltd., in dismissing the services of Shri Chagalal, Security Guard w.e.f. 30-5-88 was justified. If not, what relief the workman is entitled to ?"

2. Admitted facts of the case are that the workman, Chagalal, was working as a Security Guard in Mansar Mines and the charge-sheet dated 8-6-87 was issued against the workman on the allegation that on 1-6-87 while the workman, Chagalal, was on duty as Security Guard the ordinary and electric detonators valuing more than Rs. 15000 were stolen from the Magazene Room; that the workman participated in the enquiry and the services of the workman were terminated w.e.f. 30-5-88.

3. The case of the workman is that there is not an iota of evidence on record that the workman has committed the theft of the alleged detonators or that the workman was responsible for the theft. The case of the workman is that the proper opportunity was not granted to the workman to produce the defence witnesses during the enquiry that there was inordinate delay in conducting the enquiry. The workman has alleged that the punishment is too harsh and disproportionate.

4. The case of the management is that on 1-6-87 Shri Chagalal was on duty at Mansar Mines of midnight and the midnight huge quantity of detonators were stolen by getting the locks and the latches of the Magazene Room; that the workman defended himself during the enquiry and the charges were fully proved, that the theft of highly sensitive explosives has taken place while the workman was on duty as Security Guard and looking to the seriousness of the proved misconduct the workman was dismissed from the service.

5. Following are the issues in the case :—

## ISSUE

1. Whether the domestic enquiry is proper and legal ?
2. Whether the management is entitled to lead evidence ?
3. Whether the punishment is adequate ?
4. Relief ?

6. Issues No. 1 & 2 : Workman remained absent practically on all the hearings from 16-11-89. The Counsel of the management prayed to close the case as none was appearing on behalf of the workman for last more than five years. However, it was held that the domestic enquiry conducted against the workman was fair, legal and proper.

7. Issues No. 3 & 4 : It is not in dispute that the workman, Shri Chagalal, was on duty at Mansar Mines on 1-6-87 from 12 midnight to 8 a.m. of 2-6-87. It is also fully proved that theft of ordinary detonators and electric detonators costing more than Rs. 15000 were stolen from the Magazene Room when the workman, Chagalal, was on duty.

8. From the statement of the prosecution witnesses, S. S. Lokras, R. K. Bala, K. K. Chikhede, Pyarelal and Ram Sonia, it is clear that the latches of the fuse room were broken and after opening the locks the material was stolen from the fuse room. It is further clear from the statement of the aforesaid witnesses that in the commission of theft the time taken would have been of more than one hour. Consequently, it is clear that the workman, Chagalal, who was Security Guard is responsible for the commission of theft and it is either due to the connivance or the negligence of the Security Guard that the theft has taken place. The workman has given the explanation that due to the fever he slept for the whole night and he was not aware of the theft. There is no evidence on record to show that the workman, Chagalal, was ill on the day of incident. The learned Enquiry Officer has dealt with the evidence on record during the enquiry and in his detailed order the reasoning is given to the effect that the charges of theft and negligence levelled against the workman are fully proved.

9. The result is that the action of the management of M/s. Manganese Ore (India) Ltd. in dismissing the services of Shri Chagalal, Security Guard, w.e.f. 30-5-88 was just and proper. Reference is answered in favour of the management. Parties to bear their own costs.

ARVIND KUMAR AWASTHY, Presiding Officer

नई दिल्ली, 9 जुलाई, 1996

का.आ. 2311.—श्रीबोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसर में, केन्द्रीय सरकार भिलाई स्टील प्लान्ट के प्रबन्धकार्य के संबद्ध निवेशकों और उनके कर्मकारों के बीच, अन्वेषण में निर्दिष्ट श्रीबोगिक विवाद में केन्द्रीय सरकार श्रीबोगिक अधिकारण, जबलपुर के पंचपट दो प्रकाशित करती है, जो केन्द्रीय सरकार को 4-7-96 को प्राप्त हुआ था।

[संख्या एल-26011/2/91-आई.आर. (विविध)]

वी. एम. डेविड, डैस्क अधिकारी

New Delhi, the 9th July, 1996

S.O. 2311.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Bhilai Steel Plant and their workmen, which was received by the Central Government on 4-7-1996.

[No. L-26011/2/91-IR(Misc.)]

B. M. DAVID, Desk Officer

## ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (MP)

Case Ref. No. CGIT/LC(R)(1981)/1991

## BETWEEN

The Joint Secretary, Hindustan Steel Employee's Union (CITU), Branch Dalli Rajhara, Durg (MP).

## AND

The Asstt. Manager (Pers.) Hqrs. (OMO) (Incharge of Rawghat Staff) Bhilai Steel Plant, Bhilai, Distt. Durg (MP).

PRESIDED IN : By Shri Arvind Kumar Awasthy.

APPEARANCES :

For Workman : Shri Sanjay Pal, Advocate.

For Management : Shri P. S. Ravishankar.

INDUSTRY : Steel Plant. DISTRICT : Durg (MP).

## AWARD

Dated, March 18, 1996

This is a reference made by the Central Government, Ministry of Labour, vide its Notification No. L-26011/2/91-IR (Misc.) dated 30-10-1991, for adjudication of the following industrial dispute :—

## SCHEDULE

“Whether the action of the management of Bhilai Steel Plant in terminating the services of Casual Labourers working at Rawghat Prospecting Project without Complying the provision of I.D. Act and Rule is justified? If not, to what relief is the workmen entitled to?”

2. After filing the statement of claims, The case was fixed for filing of documents. On 1-3-1996 parties appeared, filed the settlement and verified the same before this Tribunal. The terms of Settlement are as under :—

## TERMS OF SETTLEMENT

- Without prejudice to the rival contentions raised before the Hon'ble Tribunal, it is agreed that the 19 workmen who were engaged in Rawghat Prospecting Project shall be given preference in employment, as soon as the work at the Rawghat Project is started except Shri Budru S/o Chaman Ram appearing in Sl. No. 19 of the Annexure of the claims statement who has since expired.
- It is agreed that each of the 19 workmen shall be paid a lumpsum amount of Rs. 950 on account of the non-engagement in casual employment on account of the closure of the Rawghat Prospecting work.
- It is further agreed that consent award will be obtained from the Hon'ble Court.
- The aforementioned terms of settlement are just and fair and they are accepted and award is given in terms of Settlement. Parties to bear their own costs.

ARVIND KUMAR AWASTHY, Presiding Officer

नई दिल्ली, 10 जूलाई, 1996

का. आ. 2312.—शैदोंगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कर्मचारी राज्य धारा निगम लि. के प्रबन्धालय के संबंध नियोजकों और उनके कर्मकारों के बीच, श्रीवंश में निर्दिष्ट शैदोंगिक विवाद में केन्द्रीय सरकार शैदोंगिक, अधिकारण नं. 1, बम्बई के अंचल को प्रकाशित करती है, जो केन्द्रीय सरकार ने 9-7-96 से प्राप्त हुआ था।

[संख्या नं. 15015/1/92—आईआर (विविध)]

वी. पम. डेविड, डेस्क अधिकारी

New Delhi, the 10th July, 1996

S.O. 2312.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 1, Bombay as shown in the Annexure in the industrial dispute between the employers in relation to the management of Employees State Insurance Corporation and their workmen, which was received by the Central Government on 9-7-1996.

[No. L-15015/1/92-IR (Misc.)]  
B. M. DAVID, Desk Officer

## ANNEXURE

## BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, MUMBAI

## PRESENT :

Shri Justice R. S. Verma, Presiding Officer,  
Reference No. CGIT-1/44 of 1992

## PARTIES :

Employers in relation to the management of Employees State Insurance Corporation

AND

Their workmen.

## APPEARANCES :

For the Management—Shri M. P. M. Pillai.  
For the Workman—No appearance.

INDUSTRY : Insurance STATE : Nagpur, Maharashtra  
CAMP : Nagpur.

Nagpur, the 21st day of June, 1996

## AWARD

Shri M. P. M. Pillai—for management.  
None—for workman.

Shri Pillai states that the dispute referred to this Tribunal is the very subject matter of Ref. CGIT-5 of 1992, adjudicated upon by the Tribunal today. His submission is correct. I am surprised to see that the same dispute has been referred to this Tribunal twice. The first one was by order dated 22-1-92, which as stated above, has already been adjudicated upon. This subsequent reference was made by order dated 9-6-92. This reference is disposed in terms of award passed in Ref. CGIT-5 of 1992. An ex parte award is made accordingly.

R. S. VERMA, Presiding Officer

नई दिल्ली, 11 जूलाई, 1996

का. आ. 2313.—शैदोंगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कर्मचारी राज्य धारा निगम लि. के प्रबन्धालय के संबंध नियोजकों और उनके कर्मकारों के बीच, श्रीवंश में निर्दिष्ट शैदोंगिक विवाद में केन्द्रीय सरकार शैदोंगिक, अधिकारण नं. 1, बम्बई के अंचल को प्रकाशित करते हैं, जो केन्द्रीय सरकार ने 9-7-96 को प्राप्त हुआ था।

[संख्या नं. 15012/1/92—आईआर (विविध)]

वी. पम. डेविड, डेस्क अधिकारी

New Delhi, the 11th July, 1996

S.O. 2313.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 1, Bombay as shown in the Annexure in the industrial dispute between the employers in relation to the management of Employees State Insurance Corporation and their workmen, which was received by the Central Government on 9-7-1996.

[No. L-15012/1/92-IR (Misc.)]  
B. M. DAVID, Desk Officer

## ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, MUMBAI

PRESENT :

Shri Justice R. S. Verma, Presiding Officer.  
Reference No. CGIT-1/5 of 1992

PARTIES :

Employers in relation to the management of Employees State Insurance Corporation

AND

Their workmen.

APPEARANCES :

For the Management—Shri M. P. M. Pillai.  
For the Workman—No appearance.

INDUSTRY : Insurance STATE : Maharashtra

CAMP : Nagpur

Nagpur, the 21st day of June, 1996

## AWARD

None—for workman.

Shri M. P. M. Pillai—for management.

Heard.

The appropriate Government referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of the Employees State Insurance Corporation, Nagpur in relation to their local office, Akola in terminating the services of Shri F. N. Mirza, Peon with effect from 17-5-85 is legal and justified? If not to what relief is the workman entitled?"

2. The workman filed his written statement of claim on 19-11-93. The Corporation filed its reply on 21-11-95. No rejoinder was filed by workman.

3. The case was fixed at Nagpur for hearing on 17-6-96. The workman did not put in appearance inspite of notice. As such, I directed the matter to be heard ex parte.

4. I have perused the pleadings of the parties carefully. The workman has not averred as to how the activities of the Employees State Insurance Corporation amount to industry. The Corporation is a statutory body carrying out the welfare activities for the benefit of employees, as covered under the Employees State Insurance Act, 1948. Under the scheme of the said Act it register factories and establishments covered by the Act and recovers contributions from them and disburses various benefits allowable under the Act. Hence to my mind it is extremely doubtful, if the Corporation, in running its offices, for due discharge of its duties, is at all running an 'industry', as defined under the Industrial Disputes Act. At any rate, it is extremely doubtful if the dispute before me is at all an 'industrial dispute'.

5. Notwithstanding this, I find that even on merits, the workman has failed to make out any case. He was initially temporarily appointed on 5-4-84 for the period expiring on 30-9-84. However, his services came to be terminated on 27-9-84 as pleaded by the management, which on the face of it was improper. Notwithstanding this fact, he was re-appointed from 29-9-84 to 28-2-85 by the second appointment letter dated 19-11-84. Before the terms of this second appointment could expire, by order dated 8-2-85, he was appointed for the period expiring on 25-3-85. He was lastly appointed by order dated 11-4-85 for the period 27-3-85 to 31-8-85. This last order stipulated :

"The above appointments have been made on purely temporary and ad-hoc basis and will last upto the dates shown in Col. No. 5 after which date unless the period of appointment is extended their services will stand terminated automatically".

This very order further stipulated :

"and even during this period their services are liable to be terminated at any time without any notice or assigning any reason therefor."

The affidavit filed by management today in ex parte evidence disclose two vital facts (i) A test qualified person O.M. Joshi had become available and was appointed at local office Nanded.

6. When Mr. Joshi joined, another peon Mohorele, who had been temporarily promoted as Clerk was reverted to this original class IV post because one R. S. Taynde had been transferred vice Mohorele and the post of Peon at Akola was no longer available to be held by the workman.

(ii) The workman had already become overage. The appointments under the corporation were governed by statutory Regulations.

7. It has been urged that in these peculiar circumstances, the services of the workman were terminated in accordance with the terms of appointment.

8. The management has placed relevant record (xerox copies) on record in support of the affidavit of Shri Admane.

9. In the aforesaid circumstances, I find no merit in the claim of workman. He has failed to show that termination of his services was illegal or unjustified. He is not entitled to any relief. An ex parte award is made accordingly.

R. S. VERMA, Presiding Officer

नई दिल्ली, 11 जुलाई, 1996

का. आ. 2314.—ओर्डोरिंग विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार महाराष्ट्र राज्य मार्फतिंग कारपोरेशन के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट ओर्डोरिंग विवाद में केन्द्रीय सरकार ओर्डोरिंग अधिकरण, नं. 1, बम्बई के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-7-96 को प्राप्त हुआ था।

[संख्या एन-29012/45/92-प्राई. आर. (विविध)]

बी. एम. डेविड, डैम्प्स अधिकारी

New Delhi, the 11th July, 1996

S.O. 2314.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 1, Bombay as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Maharashtra State Mining Corp. and their workmen, which was received by the Central Government on 10-7-86.

[No. L-29012/45/92-IR(Misc.)]

B. M. DAVID, Desk Officer

## ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, MUMBAI

PRESENT :

Shri Justice R. S. Verma, Presiding Officer  
Reference No. CGIT-1/54 of 1993

## PARTIES :—

Employers in relation to the management of  
Maharashtra State Mining Corp.

AND

Their workmen.

## APPEARANCES :—

For the Management:— Shri M. B. Nasre,  
Advocate

For the Workman No appearance

INDUSTRY : Mining

STATE : Maharashtra

CAMP : Nagpur

Nagpur, dated the 18th day of June, 1996

## AWARD

Workman absent even though he appeared for a  
shortwhile on 17-6-96.

Shri M. B. Nasre, Advocate for mangaemnet. He  
has filed his authority and has moved a written  
application to the effect that the workman though  
filed a written statement of claim, but did not supply  
copy therefor to the management; he has also not  
put in appearance and hence the case be dismissed.

The appropriate Government has referred the following dispute for adjudication to this Tribunal :

“Whether the termination of services of Shri  
Chetram Latari Pender, Labour by the  
mines manager of Maharashtra State Mining  
Corporation Ltd. Nagpur from  
22-11-91 without conducting of any en-  
quiry is legal and justified? If not, to what  
relief the workman is entitled to?”

In the circumstances, herein before mentioned,  
I have no alternative, but to proceed ex parte aga-  
inst the workman.

I have perused his written statement of claim.  
He has not stated when he joined the Service. He  
has merely stated that on 22-11-91, he was forced  
to leave the job. He has not cared to satisfy the  
Tribunal that he was a permanent workman he has  
not shown the period for which he remained in the  
establishment. In these circumstances, termination  
of his service, has not been proved to be unfair,  
improper or unlawful. Hence, to my mind the  
workman is not entitled to any relief. An ex parte  
award is passed accordingly.

R. S. VERMA, Presiding Officer

नई दिल्ली, 11 जुलाई, 1996

का. आ. 2315:—औद्योगिक विवाद अधिनियम,  
1947 (1947 का 14) की धारा 17 के अनुसरण में,  
केन्द्रीय सरकार मैसर्स स्टानडर्ड सर्वेयर्स (प्रा.) लि. के  
प्रबन्धसंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच,  
अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार  
औद्योगिक अधिकरण, नं. 1, वर्मर्ड के पंचपट को प्रकाशित  
1785 GI/96—9.

करती है, जो केन्द्रीय सरकार को 9-7-96 को प्राप्त  
हुआ था।

[संख्या एल-31012/19/92—माई. आर. (विविध)]

बी.एम. डेविड, ईस्क अधिकारी

New Delhi, the 11th July, 1996

S.O. 2315.—In pursuance of Section 17 of the  
Industrial Disputes Act, 1947 (14 of 1947), the  
Central Government hereby publishes the award of  
the Central Government Industrial Tribunal, No. 1,  
Bombay as shown in the Annexure, in the indus-  
trial dispute between the employers in relation to  
the management of M/s Standard Surveyors Pvt.  
Ltd, Mumbai and their workmen, which was  
received by the Central Government on the 9-7-96.

[No. L-31012/19/92-IR(Misc )]  
B. M. DAVID, Desk Officer

## ANNEXURE

BEFORE THE CENTRAL GOVERNMENT IN-  
DUSTRIAL TRIBUNAL NO. 1, MUMBAI

## PRESENT :

Shri Justice R. S. Verma, Presiding Officer  
Reference No. CGIT-50 of 1993

## PARTIES :—

Employers in relation to the management of  
M/s. Standard Surveyors Pvt. Ltd.,  
Mumbai

AND

Their Worwmens.

## APPEARANCES :—

For the Management : No appearance

For the Workman : Shri J. P. Sawant, Advo-  
cate

INDUSTRY : Ports & Docks

STATE : Maharashtra

Mumbai, dated the 27th day of June, 1996

## AWARD

Shri J. P. Sawant for workman. None for  
management.

Following dispute was referred by the appropriate  
Government :

“Whether the action of the Management of  
M/s. Standard Surveyors Pvt. Ltd.-Bom-  
Bay in terminating the services of Shri  
C. P. Peter Stenographer w.e.f.  
15-9-1990 is just, proper and legal, when  
the Management appointed Ms. Shalmith  
Jacob and V. G. Govindan w.e.f. 11-9-90  
and 1-10-90? If not, to what relief is the  
workman entitled to?”

Shri Sawant submits that he may be allowed to  
withdraw the dispute. He is allowed to do so. A ‘no  
dispute’ award is accordingly made.

R. S. VERMA, Presiding Offificer

नई दिल्ली, 9 जुलाई, 1996

का. आ. 2317.—श्रौद्धोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दो सी सी ईल. के प्रबंधताल के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट श्रौद्धोगिक विवाद में, केन्द्रीय सरकार श्रौद्धोगिक अधिकरण, धनबाद नं. 2 के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-7-96 को प्राप्त हुआ था।

[संख्या एन—20012/303/85-डी-III(ए)]

ब्रज मोहन, डैस्क अधिकारी

New Delhi, the 9th July, 1996

S.O. 2317.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Dhanbad No. 2, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of B.C.C. Ltd., and their workmen, which was received by the Central Government on 4-7-96.

[No. L-20012/303/85-D.III(A)]

BRAJ MOHAN, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

#### PRESENT :

Shri D. K. Nayak, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947.

Reference No. 148 of 1986

#### PARTIES :

Employers in relation to the management of Sendra Bansjora Colliery of M/s. B.C.C.L. and their workmen.

#### APPEARANCES :

On behalf of the workmen.—None.

On behalf of the employers.—None.

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad, the 24th June, 1996

#### AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947, has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/303/85-D.III(A), dated, the 20th March, 1986.

#### SCHEDULE

“Whether the demand of Rashtriya Colliery Mazdoor Sangh that Shri Ram Awadh Singh, Moulder, Sendra Bansjora Colliery of M/s. B.C.C.L. P.O. Bansjora, Distt Dhanbad should be promoted as Assistant Foreman from the date of promotion of Shri Ganesh Nunia is justified? If so, to what relief the workman concerned is entitled and from what date.”

2. Soon after the receipt of the order of reference notices were served upon the parties. But neither of the parties appeared nor took any steps. Thereafter several adjournments were granted to the parties and notices were issued.

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to them. But neither of them turned up nor took any steps. It therefore leads me to an inference that there is no dispute presently existing between the parties and in the circumstances, I am constrained to pass a ‘No Dispute’ Award in the reference.

D. K. NAYAK, Presiding Officer

नई दिल्ली, 9 जुलाई, 1996

का. आ. 2318.—श्रौद्धोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दो सी सी ईल. के प्रबंधताल के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट श्रौद्धोगिक विवाद में, केन्द्रीय सरकार श्रौद्धोगिक अधिकरण बम्बई नं. 1 के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-7-96 को प्राप्त हुआ था।

[सं. एन—30012/20/90—झाईशार (नि.)/शाईशार सी—I]

ब्रज मोहन, डैस्क अधिकारी

New Delhi, the 9th July, 1996

S.O. 2318.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Bombay No. 1, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of O.N.G.C. and their workmen, which was received by the Central Government on 2-7-96.

[No. L-30012/20/90-IR(Misc)/IR(C-D)]

BRAJ MOHAN, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, MUMBAI

#### PRESENT :

Shri Justice R. S. Verma, Presiding Officer.  
Reference No. CGIT-1/83 of 1990

#### PARTIES :

Employers in relation to the management of O.N.G.C., Bombay.

#### AND

Their workmen

#### APPEARANCES :

For the Management.—Shri Ram Rakhyani, Advocate.  
For the Workmen.—Shri M. B. Anchan, Advocate.

INDUSTRY : Oil & Natural Gas.

STATE : Union territory of Delhi.

Mumbai, the 24th day of June, 1996.

#### AWARD

The appropriate Government has referred the following dispute to this Tribunal for adjudication.

“Whether the action of the Management of O.N.G.C., Bombay in terminating the services of Mr. Ashok Bharadwaj, Assistant Marine Radio Operator of Bombay Offshore project w.e.f. 17-12-84 is legal and justified. If not, what relief the workman is entitled to?”

2. Shri Ashok Bharadwaj, the workman herein, entered the service of Oil and Natural Gas Commission (or short ONGC) as Assistant Marine Radio Operator (Ad-hoc) on

a pay of Rs. 725 in the scale of pay of Rs. 725-25-850-30-1000-40-1980-50-1480 with effect from 15-12-83 for a period of 3 months on purely ad-hoc basis and was posted under the Chief Engineer (Electrical). His services were regularised w.e.f. 25-5-84 vide order dated 30-5-84.

3. The case of the workman is that on 3-12-84, the workman applied for leave from 17-12-84 to 25-12-84 by making a written application to the Senior Marine Radio Officer. This leave was sanctioned and the factum of sanction was communicated to the workman by Radio Officer on duty. The workman also met the Senior Marine Radio Officer Shri P. P. Burli before availing the leave. Shri Burli orally permitted him to avail leave.

4. The case of the Petitioner shorn of unnecessary details is that he proceeded to Delhi to avail the sanctioned leave. All of a sudden, the workman fell ill on 22-12-84 due to enteric fever and on 25-12-84 sent a telegram to the Senior Marine Radio Officer purporting to inform him that he had been advised complete bed rest and will join when fitness certificate is issued by the doctor. Since he did not recover, the doctor advised him rest from 22-12-84 to 4-2-85 (45 days). Further rests were advised from 3-2-85 to 28-2-85 and 1-3-85 to 31-3-85. Due to prolonged enteric fever, the workman became very weak and developed Sciatica in the left leg. The workman got treatment for sciatica from 1-6-85 to 6-8-85. He continued to suffer from the said ailment till 2-9-85. The workman on having September, 1985 along with relevant medical certificates but recovered from the ailment reported himself on duty on 6th September, 1985 along with relevant medical certificate but he was not taken on duty. He ran from pillar to post but was not needed to. By a letter dated 4th October, 1985, he was informed that since he had remained absent for a long period of 263 days between 27th December, 1984 to 5th September, 1985, he should submit copies of X-rays, Photocopies of tests, prescriptions etc. indicating the treatment of the disease for which he remained absent. To this letter, he sent a reply dated 16th October, 1985 wherein he mentioned that the medicines had been supplied to him by his doctor; there were no prescriptions or test reports or X-rays with him. He inter alia stated that he had already produced his medical certificates and hence be taken on duty. However, he was again asked to produce authentic proof of his ailment vide letter dated 27th December, 1985 failing which his long absence from duty will be treated as unauthorised and he will be deemed to have resigned his post by virtue of Regulations 14(5) of the ONGC Leave Regulations, 1968 as amended from time to time.

5. Eventually, vide memo. 4/16/7-86, the workman was served with a charge sheet along with statement of allegations wherein two charges were levelled against him viz.—

1. that he unauthorisedly and wilfully absented himself from duty since 17th December, 1984.
2. that he has been neglecting his duty since 17th December, 1984.

6. The workman filed a detailed reply to the charge sheet and statement of allegations and denied that he had wilfully remained absent as alleged or had neglected his duties since 17th December, 1984.

7. One Shri Madan Kapoor was initially appointed Enquiry Officer. He was succeeded by Shri S. V. Tadpally who conducted an enquiry. Shri Tadpally exonerated the workman of charge No. 1 but found him partly guilty of charge No. 2. The Disciplinary Authority was not satisfied with the enquiry report and disagreed with the findings of the Enquiry Officer and called upon the workman to appear before him and produce all such documentary evidence, as was in his possession to prove that the workman suffered from the alleged ailments for the period of his absence from duty. The workman did not cooperate with the disciplinary authority. He did not choose to place any material before the Disciplinary Authority to satisfy the letter that he had really been ailing for such a long period. He contended himself by relying upon certain medical certificates, which he had filed earlier.

8. Upon this, the Disciplinary Authority was not satisfied with the explanation of the workman. He found him guilty of wilful absence of duty. A show cause notice dated 10th May, 1988 was duly issued asking the workman as to why he should not be removed from service. The workman did not make any reply to the show cause notice but kept on asking for time. Eventually, the Disciplinary Authority passed the order of removal dated 18th July, 1988, removing the workman from service w.e.f. 16th December, 1984, the date from which the workman had remained absent.

9. The workman filed an appeal against this order to the competent Appellate Authority. This appeal was rejected on 26th May, 1989.

10. Dissatisfied, the workman raised a dispute which was eventually referred to this Tribunal as stated earlier.

11. The workman submitted his written statement of claim dated 13th November, 1990 by post along with documents, wherein he raised a number of contentions, challenging the legality and fairness of the domestic enquiry and the consequent removal. He inter alia prayed for reinstatement with back wages.

12. The O.N.G.C. filed its reply on 17th January, 1991 whereby it claimed that the enquiry held against the workman was legal, fair and proper. It was also claimed that the order of removal was just and proper in the circumstances of the case. The various pleas taken by the workman were traversed.

13. The workman filed a rejoinder on 5th March, 1991.

14. Thereafter, the parties took some time in filing documents. Some time in late 1991/early 1992, the post of the Presiding Officer fell vacant and nobody could be appointed till early 1993. Almost more than one year elapsed and the case had to be adjourned from time to time due to post of Presiding Officer remaining vacant. The proceedings could recommence only in April, 1993.

15. Thereafter, the parties took some time in filing documents. Eventually, the workman filed his own affidavit in lieu of examination in chief on 25th February, 1994. He was cross-examined on behalf of the management and such cross-examination was completed on 21st April, 1994.

16. On 2nd April, 1996, the management filed affidavit of its witness P. P. Burli and copy thereof was provided to the Advocate of the workman. The Advocate of workman prayed for time to cross-examine the witness and the case was adjourned to 7th June, 1996 for cross-examination of Shri Burli. On 7th June, 1996, Shri Burli appeared for cross-examination. He had come all the while from Assam. The workman did not turn up and sent an application by post to the effect that the case be fixed up at Delhi. He also stated to the effect that he could not come to Mumbai because of short notice given to him. I considered this application on 7th June, 1996. On that day, Advocate of the workman pleaded 'no instructions'. Hence, I proceeded to hear the matter ex parte. In my order dated 7th June, 1996, I observed as follows :

"Shri Ram Rakhyani for management.

Shri M. B. Anchan for workman has reported no instructions in writing. Management's witness Shri P. P. Burli is present for cross-examination. He states that he has come all the way from Assam.

The workman is not present. He has sent by post an application along with certain other applications that the case may be taken up at Delhi. By his absence today, he has very vaguely stated that due to late information, he could not arrange for berth/seat in the train. He does not state when he received information about this date of hearing; he does not state on which date did he purchase ticket for undertaking journey to Bombay and on which date he came to know that he would not get a berth or seat for Bombay. In these circumstances, I do not find any just and sufficient for his absence today and the matter is heard to be ordered ex parte.

I have heard Shri Ram Rakhyani for management in details. Order is received."

17. Consequently, I have proceeded to dispose of the matter on merits in the absence of the workman.

18. The following points require consideration in the case :

- (1) Whether the domestic enquiry held against the workman was fair, legal and proper ?
- (2) Whether the charges of the management against the workman have been proved to the satisfaction of the Tribunal ?
- (3) Whether the punishment inflicted on the workman is justified ?

19. I would first take up point No. 1. The main grievance of the workman is that the first Enquiry Officer Shri Madan Kapoor had held an enquiry into the charges against the workman on 16-10-86. The enquiry had been completed the same day. However, the Enquiry Officer was changed by order dated 25-3-87 and one Mr. Tadpally was appointed Enquiry Officer. One Shri B. S. Shah was to continue as the Presenting Officer. Shri Tadpally submitted an enquiry report but the Disciplinary Authority did not choose to act upon the enquiry report of Shri Tadpally and by office memo dated 09-11-87 decided to enquire into the charges himself. In doing so, the Disciplinary Authority acted illegally. Moreover, no reason was assigned by the Disciplinary Authority in memo dated 05-11-87 as to why he himself wanted to enquire into the charges.

20. Now, so far as the factual aspect of this matter is concerned, it is not in dispute before me that enquiries were made into the charges first by Shri Madan Kapoor and then by Shri Tadpally and yet the Disciplinary Authority proceeded to enquire into the charges himself.

21. The contention appears to be that once enquiry officers had been appointed and enquiries had been completed, it was not open to the Disciplinary Authority to hold an enquiry by himself into the charges.

On behalf of the ONGC reliance was placed upon clause (2) of Regulation 36 of the ONGC (Conduct, Discipline and Appeal) Regulations, 1976. These regulations are statutory in character and have been framed by ONGC in exercise of powers conferred on it by virtue of Section 32 of the ONGC Act. The Regulations have been made with the previous approval of the Central Government. Now, this clause (2) of Regulation 36 reads as follows :

"(2) Whenever the disciplinary authority is of the opinion that there are grounds for inquiring into the truth or any imputation of misconduct or misbehaviour against an employee, it may itself inquire into or appoint under this regulation an authority or Board to inquire into the truth thereof."

22. A bare reading of this regulation goes to show that it confers on the Disciplinary Authority power to enquire into charges by itself or through an enquiry authority or Board, to be nominated by it. Thus, there is jurisdiction in the Disciplinary Authority to delegate its power to enquire into the charges. But in the present case, the Enquiry Officers had admittedly completed the enquiries. The question is if the Disciplinary Authority still retained a power to enquire into the charges by itself. To my mind, once the Enquiry Officer had completed the enquiry, the power of the Disciplinary Authority to enquire into the charges stood exhausted and was no more available to it. Then the regulation which came into play was really Regulation 37 of the said Regulations. This Regulation reads as follows :

#### 23. Action on inquiry Report :

- (1) The disciplinary authority, if it is not itself the inquiring authority, may, for reasons to be recorded by it in writing, remit the case to the inquiring authority for further inquiry and report and the inquiring authority shall thereupon proceed to hold the further inquiry according to the provisions of regulation 36, as far as may be.
- (2) The disciplinary authority shall, if it disagrees with the findings of the inquiring authority on any article of charge record its reasons for such disagreement

and record its own findings on such charge, if the evidence on record is sufficient for the purpose.

(3) If the disciplinary authority having regard to its findings on all or any of the articles of charge is of the opinion that any of the penalties specified in clauses (i) to (iv) of regulation 34 should be imposed on the employee, it shall, notwithstanding anything contained in regulation 38, make an order imposing such penalty.

(4)(a) If the disciplinary authority having regard to its findings on all or any of the articles of charge is of the opinion that any of the penalties specified in clauses (v) to (ix) of regulation 34 should be imposed on the employee, it shall—

(i) furnish to the employee a copy of the report of the inquiry held by it and its findings on each article of charge or, where the inquiry has been held by an inquiring authority, appointed by it, a copy of the report of such authority and a statement of its findings on each article of charge together with brief reasons for its disagreement, if any, with the findings of the inquiring authority;

(ii) give the employee a notice stating the penalty proposed to be imposed on him and calling upon him to submit within fifteen days of the receipt of the notice or such further time not exceeding 15 days, as may be allowed, such representation as he may wish to make on the proposed penalty on the basis of the evidence adduced during the enquiry held under regulation 36;

(b) The disciplinary authority shall, after considering the representation if any, made by the employee, determining what penalty, if any, should be imposed on the employee and make such order as it may deem fit."

23. A bare reading of the aforesaid Regulation goes to show the courses which were open to the Disciplinary Authority. If it thought that a further enquiry was called for, the disciplinary authority could have remitted the matter to the Enquiry Authority by an order recording reasons for so remitting. If the Disciplinary Authority felt that the record was complete, and no further enquiry was needed, and it did not agree with the Enquiry Authority, it could have recorded its reasons for disagreement and record its own findings on each charge.

24. As stated above, the aforesaid regulations were statutory in nature and were binding on the Disciplinary Authority. It was not entitled to devise its own procedure to punish the workman, in contravention of the specific provisions of Regulation 37 which squarely covered the matter. It is settled law that if any statute, rule or regulation requires a particular thing to be done in any particular manner, it shall proceed to act in that manner and that manner alone. If it proceeds in a different manner, not permissible by law, action taken would be rendered invalid.

25. Taking an entire conspectus of the legal position I find that the enquiry held by the Disciplinary Authority was vitiated and was bad in law. However, the termination order passed by the Disciplinary Authority is still sustainable on the material available on enquiry records of two Enquiry Officers. In that follows, I have discussed the very special features of the case, which go to show that the order of termination was quite justifiable because at any rate the basic principles of natural justice had been met with, prior to passing of the impugned order.

26. This takes me to consideration as to what order should be passed. The admitted facts are that the workman initially left Head Quarters on 14-12-84 against leave sanctioned for the period 17-12-84 to 24-12-84. He did not immediately resume duties on expiry of the said leave but went on sending applications for leave on medical grounds. That he had been ailing for such a long period, was a fact within his special knowledge. From which ailments did he suffer was also a fact within his special knowledge. He contended himself by producing certain medical certificates. He did not produce

any prescriptions, medical test reports or medical bills or X-rays to show that he had been really ill for such a long period. Even when the Disciplinary Authority gave him opportunities to do so, he took shelter under the plea that he did not have any prescriptions, bills test reports etc. because the doctors were known to him and were giving him medicines free. He did not place before the Enquiry Officer any material to show that the doctors were so benign as not to charge him and give him medicines gratis for such a prolonged period. During the enquiry, he did not examine any of the doctors, who are said to have treated him. Had he examined them, then the Presenting Officer of the ONGC could have cross-examined them to ascertain the truth. The only presumption is that had they appeared before the Enquiry Officer, they could not have supported the workman in any substantial measure.

27. The workman had ample opportunity to examine these Doctors before this Tribunal to lend satisfaction to the judicial conscience that he had been really ill for such a prolonged period. He did not choose to examine the Doctors before the Tribunal as well and the only inference is that had he examined the Doctors in question, they could not have supported his stand that he was really not in a position to attend to his duties.

28. It is a notorious fact of life that a resourceful person can procure any number of medical certificates these days either for true or for other considerations. There is nothing sacrosanct about the medical certificates sans medical bills, test reports, prescriptions and further without sworn testimony of those, who could have been produced but not produced. In these circumstances, it has been amply proved that it was a case of wilful absence of duty on the part of workman.

29. When it is so, the workman is neither entitled to reinstatement nor to any back wages. His claim is held unjust and improper. Award is made accordingly.

R. S. VERMA, Presiding Officer.

नई दिल्ली, 5 जुलाई, 1996

का. प्रा. 2319—आंदोलिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के प्रत्यासरण में, केन्द्रीय सरकार दूरसंचार के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट आंदोलिक विवाद में केन्द्रीय सरकार आंदोलिक अधिकरण, नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-7-96 को प्राप्त हुआ था।

[सं. प्रा—40012/91/92—प्राइवे आर (डी. प.)]

के. बी. बी. उण्णी, डैस्ट्रिक्ट अधिकारी

New Delhi, the 5th July, 1996

S.O. 2319.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Telecom, and their workman, which was received by the Central Government on 4-7-96.

[No. L-40012/91/92-IR(DU)]  
K. V. B. UNNY, Desk Officer

## ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER; CENTRAL GOVT. INDUSTRIAL TRIBUNAL; NEW DELHI

I.D. No. 75/93

In the matter of dispute between

Shri Ram Singh s/o Shri Sheesh Ram, Chowkdiar r/o Village Bidvi P. O. Alipur Distt. Saharanpur.

Versus

Sub Divisional Officer Phones,  
Chander Nagar, Saharanpur.

APPEARANCES : None.

## AWARD

The Central Government in the Ministry of Labour vide its Order No. L-40012/91/92-I.R. (D.U) dated Nil has referred the following industrial dispute to this Tribunal for adjudication :

“Whether the action of the management of Deptt. of Telecommunication in terminating the services of Shri Ram Singh s/o Shri Sheesh Ram, Chowkdiar w.c.f. 30-3-1982 is legal and justified ? If not, what relief the workman concerned is entitled to ?”

2. The case was fixed for workman evidence when nobody appeared on behalf of the workman. It appears that the workman was not interested in proceeding further and no dispute award is given in this case leaving the parties to bear their own costs.

3rd May, 1996.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 9 जूलाई, 1996

का. प्रा. 2320—आंदोलिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के प्रत्यासरण में, केन्द्रीय सरकार दूरसंचार के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट आंदोलिक विवाद में आंदोलिक अधिकरण, मद्रास के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को प्राप्त हुआ था।

[सं. प्रा—40012/131/92—प्राइवे आर (डी. प.)]

के. बी. बी. उण्णी, डैस्ट्रिक्ट अधिकारी  
New Delhi, the 9th July, 1996

S.O. 2320.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Madras as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Telecom, and their workman, which was received by the Central Government.

[No. L-40012/131/92-IR(DU)]

K. V. B. UNNY, Desk Officer

## ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL,  
TAMIL NADU, MADRAS

Friday, the 29th day of December, 1995

## PRESENT :

Thiru N. Subramanian, B.A.B.L., Industrial  
Tribunal.

Industrial Dispute No. 144/1994

(In the matter of reference for adjudication under  
Section 10(1)(d) of the Industrial Disputes Act, 1947  
between the Workmen and the Management of Tele-  
communications, Salem-7)

## BETWEEN

Ms. G. Suguna,  
C/o. Venus Electricals,  
11, Pensioner Street,  
Dindigul-1.

## AND

The Chief General Manager,  
D/o. Telecommunications,  
Telecom Circle,  
Tamil Nadu, Salem-636007.

## REFERENCE :

Order No. L-40012/131/92-IR(DU), dated 5th  
May, 1994, Ministry of Labour, Govern-  
ment of India, New Delhi.

This dispute coming on for final hearing on Thursday, the 14th day of December, 1995 in the presence of Tvl. V. Dhanapalan, M. V. Muralidharan and D. Charles Muthu Santhanam, Advocates appearing for the worker, upon perusing the reference. Claim statement and all other material papers on record and the Management being absent and set exparte and this dispute having stood over till this day for consideration, this Tribunal made the following

## AWARD

Government of India, by its letter No. L-40012/131/92-IR(DU), dated 5th May, 1994, referred for adjudication by this Tribunal u/s. 10(1)(d) of the I.D. Act, 1947 regarding the dispute :

"Whether the action of the Management of department of Telecommunications, Salem, in terminating the services of Smt. G. Suguna, SDTO, w.e.f. 19th May, 1983, is proper, legal and justified? If not, to what relief is the workman entitled to?"

2. After services of notices, both the petitioner and the respondent appeared before this Court. The petitioner filed her claim statement. The respondent though represented by the Counsel, did not file the Counter statement from 6th April, 1995. So, the respondent was set exparte.

3. The case of the petitioner is as follows.—The petitioner has been selected and appointed as Telephone Operator in the Office of the Assistant Engineer, Trunk Telephone Exchange, Salem on 28th September, 1981. Since her appointment she worked for 8 hours per day and she received wages calculating at the rate of Rs. 2 per hour and the payment was made every month. She was put in 15 days training period. From the date of her appointment, without any break, she continuously worked as Telephone Operator. She was allowed to continue to work from 14th September, 1981 to 23rd May, 1983. On 23rd May, 1983 the Assistant Engineer with mala-fide intent on illegally terminated her service. She has worked for more than 240 days continuously in a year before her termination. On receipt of the termination order, she personally met the Assistant Engineer and requested him to cancel her termination. But the Assistant Engineer has not given any reply. No notice was given before terminating her service. Her termination is illegal and arbitrary and violative of principles of natural justice. After her termination, the system of practice of engaging Short Duty Telephone Operators and by reclassifying the system as Reserve Trained Pool of Telephone Operators. Even after her termination, Divisional Engineer by order dated 21st June, 1988 absorbed to Reserve Trained Pool Telephone Operators, on regular basis. Those telephone operators were recruited in 1982. So, she came to know in July, 1991, that 10 persons were regularised who were recruited in the year 1988. Thereafter she made several oral representations and written representations to the respondent requesting them to consider her case. Finally on 4th August, 1991 she made representation to the Chief General Manager, Telecommunications, Madras. On 9th July, 1992. She filed a petition before the Assistant Commissioner of Labour, Madras. He conducted an enquiry and he passed a failure report. Hence the petitioner has raised the dispute to set aside the order of termination and to reinstate her in service with continuity of service and backwages.

4. The respondent did not file any counter statement.

5. The petitioner was examined as WW1. According to her, she was appointed as Telephone Operator in the respondent-department on 24th September, 1981 under Ex. W-1. Suddenly she was terminated from service without any notice on 23rd May, 1983 under Ex. W-2. She made representations to her Superior Officers Ex. W-5 is the copy of the representation given to the Divisional Engineer. Ex. W-9 is the representation given to the General Manager. According to her, her juniors were regularised as Telephone operators. According to the petitioner, her termination is illegal. She was not served with any notice or any enquiry was conducted. She had worked continuously from the date of her appointment from 24th September, 1981 to 23rd May, 1983. She has worked for more than 240 days in a year continuously prior to her termination. So, she is entitled to notice u/s. 25-F of the I.D. Act, before termination or one month notice pay and also

the compensation provided u/s. 25-F(2). It is proved by the evidence that she has worked for more than 240 days continuously in a year prior to her termination. So, the petitioner has to be terminated only by following the procedure laid down u/s. 25-F. Since the respondent had not followed the procedure, the termination of the petitioner's service is illegal and void. Hence the order of termination is liable to be set aside.

In the result, an award is passed setting aside the order of termination of the petitioner dated 23rd May, 1983. Respondent is directed to reinstate her in service with continuity of service, full backwages and other benefits. No costs.

Dated, this the 29th day of December, 1995.

N. SUBRAMANIAN, Industrial Tribunal

**WITNESSES EXAMINED**

For Workman :

W.W.-1—Smt. G. Suguna.

For Management—None.

**DOCUMENTS MARKED**

For Workman :

- Ex. W-1/24-9-81—Appointment order issued to the worker Smt. G. Suguna as Short Duty Telephone Operator (Xerox copy).
- Ex. W-2/8-6-83—Termination order issued to the worker (Xerox copy).
- Ex. W-3/8-6-83—Notification published in the Newspaper for appointment to the post of Telephone Operators (Xerox copy).
- Ex. W-4/7-2-83—Application of the worker for the post of Telephone Operator (Xerox copy).
- Ex. W-5/13-9-93—Representation by the worker to the Management (Xerox copy).
- Ex. W-6/23-12-84—Representation by the worker to the Management (Xerox copy).
- Ex. W-7/9-7-92—Representation by the worker to the Assistant Commissioner, Madras.
- Ex. W-8/23-7-92—Representation by the worker to the Assistant Commissioner, Madras.
- Ex. W-9/3-12-92—Representation by the worker to the Chief General Manager, Telecommunication Tamil Nadu Circle Madras-2.

For Management—Nil.

नई विल्ली, 9 जूलाई, 1996

का.आ. 2321—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ग्राउनेट्स फैक्ट्री के प्रबन्धसंचालन के संबद्ध नियोगकर्तों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक

विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को प्राप्त हुआ था।

[सं. पाल-14011/15/92-प्राई आर. (डी ए.)]

के.बी.बी. उण्ठी, डेस्क अधिकारी

New Delhi, the 9th July, 1996

S.O. 2321.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Jabalpur as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Ordnance Factory, and their workmen, which was received by the Central Government.

[No. L-14011/15/92-JR(DU)]

K. V. B. UNNY, Desk Officer

**ANNEXURE**

**IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (MP)**

Case Ref. No. CGIT/LC(R)(240) 1993

**BETWEEN**

Shri Doodh Nath Singh, President, Ordnance Factory, Khamaria Workmen's Union, 48/7, Type-I, Ordnance Factory, Khamaria Estate, Khamaria, Jabalpur (MP).

**AND**

The General Manager, Ordnance Factory, Khamaria, Jabalpur (MP)-482001.

**PRESIDED IN : By Shri Arvind Kumar Awasthy.**

**APPEARANCES :**

For workman : Shri Doodh Nath Singh.

For Management : Shri B. Da'Silva, Advocate.

**INDUSTRY : Ordnance Factory DISTRICT : Jabalpur (MP).**

**AWARD**

Dated : February 16, 1996

This is a reference made by the Central Government, Ministry of Labour, vide its Notification No. L-41011/15/72-IR(DU) Dated 25-11-1993, for adjudication of the following industrial dispute :—

**SCHEDULE**

क्या प्रबन्धसंचालन आइनेस फैक्ट्री, जबलपुर (म० प्र०) के प्रबन्धकर्तों द्वारा श्रमिकों से विदा सहमति लिये वर्ष 1990, 1991-92 के लिए श्रमिक कल्याण कोष के नाम पर प्रति व्यक्ति रुपये 2/- की कटौती उनके बेतन से की जाने की कार्यवाही न्यायोचित है। यदि नहीं तो संबंधित कर्मकार किस अनुतोष का हकदार है?

2. Parties were noticed to file their respective statement of claim. On 16-2-1996 Shri Doodh Nath Singh representative of the Union appeared and stated that the workmen want to withdraw the case and they do not press the terms of reference. Parties have further prayed to pass a no dispute award. As such, no dispute award is passed. No order as to costs.

ARVIND KUMAR AWASTHY, Presiding Officer

नई दिल्ली, 9 जूनाई, 1996

का.आ. 2322—आधिकारिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल इस्टिंग्यूट फार ग्रिसिं आन गोट्स मख्दूम फरहा मथुरा के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट आधिकारिक विवाद में केन्द्रीय सरकार आधिकारिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-7-96 को प्राप्त हुआ था।

[म. एल-42011/86/90-प्राई आर (डी यू)]

के.बी.बी.उण्णी, डेस्क अधिकारी

New Delhi, the 9th July, 1996

S.O. 2322.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Kanpur as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Central Institute for Research on Goats Makhdoom and their workmen, which was received by the Central Government on 8-7-96.

[No. L-42011/86/90-IR(DU)]

K. V. B. UNNY, Desk Officer

#### ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 175 of 1991  
In the matter of dispute between :

#### PRESIDENT :

Uttar Pradesh Kisan Khetiwar Mazdoor Congress  
2/236 Namneir Agra.

AND

Director Central Institute for Research on Goats  
Makhdoom Farah Mathura.

#### APPEARANCE :

Sri Surender Singh for the Union Sri B. N. Bhattacharya for the Management.

#### AWARD

1. Central Government, Ministry of Labour, New Delhi, has referred the following dispute for adjudication to this Tribunal-No. L-42011/86/90 IR DU dt. 30-9-91.

Whether the Director, Central Institute for Research on Goats Mathura is justified in terminating the services of 37 workmen as per list enclosed w.e.f. the dates mentioned against each workmen. If not, what relief they are entitled to ?

2. In this case there are 37 workmen whose names are annexed herewith as annexure-A as given in the reference order. It is alleged that they have been working with the opposite party Central Institute for Research on Goats in District Mathura for more than 240 days in a calendar year. Their services have been illegally terminated from the dates as given in the attached annexure. No retrenchment compensation and notice pay was given to them before their termination. Further juniors to them were retained and further new hands were recruited. In this way there has been breach of section 25F, G and H of I.D. Act. It is also alleged that some of these workmen had raised I.D. No. 128 of 1989 for their regularisation. By way of reprisal these retrenchment have been effected.

3. The opposite party has filed reply in which it is alleged that the concerned workmen were seasonal workers. They have not completed for more than 240 days in a year. However, it is admitted that new hands were recruited subsequently.

4. In the rejoinder nothing new has been alleged.

4. In support of their case the concerned workmen filed Ext. W-1 to W-13 besides affidavits of 25 workers to prove the period of working and also to prove the fact that new hands have been recruited and at that time they were not given opportunity.

5. The management vide proceedings recorded on 20-9-95 had made a statement that they will not produce any oral evidence. In the written arguments filed by the management after the conclusion of the case they have further stated that I.D. Case No. 128 of 89 is still pending and that new hands were recruited.

6. The first point which needs determination is that as to whether the concerned workmen are seasonal or not. The management have not filed any documentary evidence or oral evidence to prove this fact. Even the concerned workmen were not cross examined on this point. Hence, this point is decided against the management for want of proof.

7. Next it was alleged that in I.D. No. 128 of 1989 it has been held that the concerned workmen had completed 240 days in a year. This contention is also without force as later on the management had admitted in their application dt. 20-9-95 that the above

mentioned I.D. Case is still pending. When a case is still pending question of recording of finding on this issue does not arise. Hence it will be wrong to say that it was decided in I.D. Case No. 128/89 that the concerned workmen had completed 240 days. Accordingly this point is also decided against the management.

8. Next it will be seen as to whether the concerned workmen had completed 240 days. In support of this contention the Union has filed affidavits of concerned workmen, Bhagwat Swarup, Drigpal, Kishan Chand, Ganga Singh, Kutubuddin, Karan Singh, Kailash, Badal Singh, Diwan Singh, Om Parkash, Babu Lal, Dulichand, Hari Singh, Narain, Ramesh Chand, Devi Prasad, Kunwar Singh, Pappu, Ali Hussain, Kanhaiya, Shanker, Pappu son of Pancham, Chandu, Hariom, Bhudeo and Bhagwan Singh respectively in which year of appointment of each of workmen is given as 1979, 1981, 1978, 1980, 1983, 1976, 1982, 1980, 27-1-89 27-1-89, 1983, 1981, 1978, 1976, 1979, 1981, 1980, 1982, 1922, 1983, 1973, 1976, 1976, 1978, 1982, 1982, 1983, 1978, 1976, 1976, 1978, 1978, 31-12-85, 15-9-85, 10-8-85, 20-12-85, 15-7-85, 1-5-85 and 31-12-85 respectively and have also alleged that they had worked upto the date mentioned in the reference order. There is no evidence in rebuttal from the side of management. Instead the management had admitted that there is muster roll. The same has not been filed. In the case of H. D. Singh Versus Reserve Bank of India, 1985, Lab IC 1733 SC it has been held that where there is dispute about the number of working days, if the management does not file papers inference has to be drawn that the case of the workman is true. In the instant case as muster roll has not been filed, I am inclined to draw inference in favour of the workmen and against the management. Accordingly relying upon the evidence of the concerned workmen and above inference, it is held that the concerned workmen had completed more than 240 days in a calender year. As no retrenchment compensation and notice pay was given their termination is bad.

9. There is no reliable evidence to prove that juniors to the concerned workmen were retained in service. Of course there is evidence by way of affidavits of above mentioned persons to show that subsequent to their termination new hands were recruited, the details of which are to be found in Ext.W-1. Admittedly no opportunity was given to the concerned workmen, hence there has been breach of section 25H of I.D. Act, as well.

10. In view of above discussions, it is held that the termination of all the concerned workmen named in the annexure to this award is bad in law. As such they will be entitled for reinstatement in service. However, they shall get their back wages at the rate at which they were paid at the time of their termination from the date of present reference.

11. Reference is answered accordingly.  
Dated. 26-6-96.

B. K. SRIVASTAVA, Presiding Officer

#### ANNEXURE A

List of 37 workmen who were terminated by the Director, Central Institute for Research on Goa's Mathura on the dates mentioned against each workmen.

Sl. No.	Names	Father's Name	Termination date
1.	Shri Chandan	s/o Nabbo	31-12-85
2.	Ramesh Chand	s/o Leeladhar	
3.	Om Prakash	s/o Bhopat	
4.	Kishan Chand	s/o Mohan Singh	
5.	Bhagat Swarup	s/o Mohan Singh	
6.	Karan Singh	s/o Pokhi Ram	
7.	Diwan Singh	s/o Bhopat	
8.	Kailash	s/o Gariba	
9.	Hari Singh	s/o Bhagwan Singh	
10.	Bhoodev	s/o Suraj Mal	
11.	Dulichand	s/o Natholi	
12.	Narain Singh	s/o Phoolchand	
13.	Baboolal	s/o Leeladhar	
14.	Kutubuddin	s/o Mangal	
15.	Ali Husain	s/o Sultan	
16.	Pappoo	s/o Pancham	
17.	Ganga Singh	s/o Deewan Singh	
18.	Kunwar Singh	s/o Bhoodev Singh	
19.	Devi Prasad	s/o Bhoodev Singh	
20.	Hariom	s/o Jeewan Singh	
21.	Amar Singh	s/o Medhki	
22.	Chandan Singh	s/o Bhana	
23.	Shanker	s/o Chagan	
24.	Kanhaiya	s/o Ram Swarup	
25.	Bachchoo Singh	s/o Baboo Lal	
26.	Durg Pal	s/o Ram Prasad	
27.	Devi Singh	s/o Man Singh	
28.	Badan Singh	s/o Sookha	
29.	Pappoo	s/o Pyare	
30.	Man Pal	s/o Pyare	15-9-85
31.	Hari Singh	s/o Pratap Singh	10-8-85
32.	Dwarika	s/o Prabhati	20-12-85
33.	Jagdish	s/o Durga Prasad	15-7-86
34.	Rajendra	s/o Durga Prasad	1-5-85
35.	Gulab Singh	s/o Battu Singh	31-12-85
36.	Bhagwan Singh	s/o Gyani	
37.	Radhey Shyam	s/o Naval Kishore	12-4-84

नई दिल्ली, 11 जुलाई, 1996

का. आ. 2323—श्रीद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की घारा 17 के अनुसारण में, केन्द्रीय सरकार एन सी एल. के प्रबंधतंत्र के संबंध नियोगकों आंतर उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट श्रीद्योगिक विवाद में केन्द्रीय सरकार श्रीद्योगिक अधिकारण बम्हई नं. 2 के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 4-7-96 को प्राप्त हुआ था।

[मंज्या इन - 22012/316/93 - श्राई आर (सी-II)  
राजालाल, डेस्क अधिकारी

New Delhi, the 11th July, 1996

S.O. 2323.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Bombay No. 2 as shown in the Annexure in the industrial dispute between the employers in relation to the management of N. C. Ltd., and their workmen, which was received by the Central Government on 4-7-1996.

[No. L-22012/316/93-IR C-II]

RAJA LAL, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2 MUMBAI PRESENT

Shri S. B. Panse, Presiding Officer

REFERENCE NO. CGIT-29 OF 1994

Employers in relation to the management of  
Amlohri Project of NCL

AND

Their Workmen

#### APPEARANCES :

For the Employer : Shri P.S. Nair & A.K. Sasi, Advocates.

For the Workmen : Shri M. B. Anchani, Advocate.

MUMBAI, dated 13th June, 1996.

permission from Shri B. Kumar, SE(X), for giving

#### AWARD—PART-I

The Government of India, Ministry of Labour by its Order No. L-22012/316/93-IR(C.II), dated 31-1-94 had referred to the following Industrial Dispute for adjudication.

“Whether the action of the General Manager, Amlohri Project of NCL in dismissing Shri Ram Lal Sharma, Driver, Cat. V. from Company's services w.e.f. 17-8-92 is legal and justified? If not, to what relief the workman is entitled to?”

2. Singrauli Koyal Mazdoor Sangh filed a Statement of Claim (Exhibit-2) for Ram Lal Sharma the dismissed driver of the Company. It is contend- ed that Sharma the worker was occupying the residential quarter in the Company's colony and was doing the work of a driver. Cooking coal was not provided to the occupants for more than six months. He and his colleagues lodged a complaint against Titus the Security Officer to the Personnel Officer. The security officer was warned by the

superiors. Aggrieved by the same the security officer once caught hold of the collar of the worker. Then there was a complaint against him. The result was that the security officer was transferred to another project. It resulted in to dissatisfaction of the Administrative Branch against the worker.

3. The union contended that the worker then asked to do the driving on jeep, then heavy vehicles and was transferred from one place to another frequently. On 13-4-92 he was issued a chargesheet alleging that “On 8-4-1992 at 10.30 p.m. Shri Ram Lal Sharma went to the residence of Shri A.K. Singh, EE(Exc), and asked key of Jeep No. MKA 154, saying that his wife was to go to Nawanagar. While Shri A. K. Singh came down from his residence and was going to take permission from Shri B. Kumar, SE(X), for giving key, he helped Shri Wed Prakash in slapping Shri A.K. Singh and went away.” There were other charges in the said charges which were showing the previous conduct of the worker. The charges were under Standing orders of M/s. Northern Coal Fields Ltd.

4. The worker contended that the domestic inquiry which was held against him was against the principles of Natural Justice. It is alleged that the chargesheet is defective and it does not disclose under which provision of the law it had decided to take disciplinary action against the workman. It is averred that he was not supplied with four copies of the documents on which the management relied. It is pleaded that he was not asked to file his final statement. It is submitted that he was not given the copies of the inquiry proceedings and the inquiry report. It is averred that the inquiry officer was bias against the workman and his findings are perverse.

5. The Sangh contended that the evidence which was lead before the inquiry officer did not bring home the guilt of the worker. It is averred that he came to the conclusion that the charges 2-5 were not proved. It is submitted that his findings that Charge No. 1 is proved is perverse. It is submitted that the punishment which is awarded to the worker is disproportionate. For all these reasons it is prayed that the dismissal order may be set aside and the workman may be reinstated in service with continuity and back wages.

6. The management resisted the claim by the written statement Exhibit-3. It is denied that the worker was harassed and while conducting the domestic inquiry there was a violation of the Principles of Natural Justice. The management denied all contention in respect of Domestic Inquiry on which basis it is tried to suggest that it violated the Principles of Natural Justice. It is averred that the inquiry officer did consider the evidence on record in its true prospective and came to the right conclusion in respect of Charge No. 1. It is averred

that the findings of the Inquiry Officer in respect of other charges is incorrect. It is submitted that the punishment which is awarded is perfectly legal and proper and it does not warrant any interference from the Tribunal.

7. The Learned advocate for the management by giving an application contended that Issue No. 1 be tried as a Preliminary issue for which there was no objection from the unions side. Now the issues and my finding thereon is as follows :—

Issues	Findings
	No.
1. Whether it is proved by the union that the domestic inquiry which was held against Sharma is against the principles of Natural justice?	

#### REASONS

8. Ramlal Sharma (Exhibit-9) lead oral evidence and relied upon the documents on the record. Nobody lead oral evidence on behalf of the management. They relaid on the inquiry proceedings which are produced alongwith Exhibit-4.

9. I may mention it here that in the written argument which is filed on both the sides particularly on behalf of the union. It is tried to submit that the findings are perverse. But as issue No. 1, does not cover that aspect I am not inclined to discuss the same in the present judgement. That issues is open while deciding Part II award.

10. I have already referred the above Charge No. 1. It is very specific and clear in its term. The worker understood the same and had replied it. It can be further seen that in the Charge Sheet there is a specific mention that it is issue under Clauses 26.4, 26.12, 26.15, 26.18 26.27, 26.39 and 26.43 of the standing orders in respect of M/s. Northern Coal Fileds Limited. It is well settled law that even if there is a mis-coating of the standing orders of the clauses pertaining to the charges it does not vitiate the proceeding. What is required to be seen whether the charge is specific and the worker understood the allegation which the management wants to do against him. Here in this case the worker clearly understood the charges. So far as other charges are concerned it is only by way of bringing on the record the previous conduct of the worker and the action taken by the management. In fact so-far-as the departmental inquiry is concerned at was to be seen whether charge No. 1 is proved or not.

11. The worker was represented by Joint Secretary of the Union. He was given sufficient time for cross examining the witness and settling the matter. The worker affirmed that he is not in position

to tell which four documents he did not receive. He could not bring to the notice of the Tribunal on the basis of the inquiry proceedings which document he did not receive. Making an allegation is an easy thing, but to prove the same is a difficult one. Here in this case the worker could not prove which documents he did not receive. Under such circumstances it has to be said that he did not receive the documents. Further more he has to show that the documents which he did not receive caused prejudice, which he did not do. It can be further seen that he had not made a complaint to any of the officers that he did not receive the documents.

12. The worker made representation through its union to the Assistant Labour Commissioner on 14-10-92. He admits the contents in it to be correct one. The said representation is at pgs. 78 to 81 of Exhibit-4. At para 22 of the said representation. Aggrieved by the same the security officials the proceedings. In para 30 he accepts that he received the inquiry report. It is therefore, the allegation which he made in the Statement of Claim that on these basis the inquiry has to be said to be against the Principles of Natural Justice cannot be accepted. It can be further seen that the worker admits that he was given an opportunity to submit in writing against the charge sheet. In the proceedings before the inquiry officer it is so mentioned which is not disputed. It is also mentioned in the application filed before the Assistant Labour Commissioner that he received copy of the inquiry proceedings. For all these reasons I find that the domestic inquiry which was held against the workman was as per the principles of Natural Justice. I record by findings on the issues accordingly and pass the following order :

#### ORDER

The domestic inquiry which was held against Sharma the worker is as per the Principles of Natural Justice.

S. B. PANSE, Presiding Officer

नई दिल्ली, 12 जुलाई, 1996

का. आ. 2324.—उत्तरवास अधिनियम, 1983 (1983 का 31) की धारा 3 की उपधारा (1) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार श्री वी. डी. नागर, अवर सचिव को दिनांक 21-5-96 के लिए, उत्तरवास गंरुक्ती दिल्ली के रूप में नियुक्त करती है।

[संख्या सी. 13019/9/96 — उत्तरवास]

सी. डी. भारद्वाज, अवर सचिव

New Delhi, the 12th July, 1996

S.O. 2324.—In exercise of the powers conferred by Section 3, Sub-Section (i) of the Emigra-

tion Act, 1983 (31 of 1983), the Central Government hereby appoints Shri V. D. Nagar, Under Secretary as Protector of Emigrants-I, Delhi for 21st and 22nd May, 1996.

[No. C-13019/9/96-Emig.]

C. D. BHARDWAJ, Under Secy.

नई दिल्ली, 12 जुलाई, 1996

का.आ. 2325.—उत्प्रवास अधिनियम, 1983 (1983 का 31) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार श्री सनातन, सहायक को दिनांक 22-5-96 से 25-6-96 तथा 25-6-96 से 26-6-96 तक उत्प्रवास संरक्षी - II, दिल्ली के रूप में नियुक्त करती है।

[सं. एस.-11011/1/96-उत्प्रवास]

वी. डी. नागर, अवार सचिव

New Delhi, the 12th July, 1996

S.O. 2325.—In exercise of the powers conferred by Section 3, Sub-Section (i) of the Emigration Act, 1983 (31 of 1983), the Central Government hereby appoints Shri Sanatan, Assistant as Protector of Emigrants-II, Delhi for the period

from 22-5-1996 to 30-5-1996 and 25-6-1996 to 26-6-1996.

[No. S-11011/1/96-Emig.]

V. D. NAGAR, Under Secy.

नई दिल्ली, 17 जुलाई, 1996

का.आ. 2326.—उत्प्रवास अधिनियम, 1983 (1983 का 31) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार श्री एस. एच. रांगुल अनुभाग अधिकारी 4 जुलाई, 1996 से अगले आदेशों तक उत्प्रवास संरक्षी - II, दिल्ली के रूप में नियुक्त करती है।

[सं. एस-11011/1/96-उत्प्रवास]

वी. डी. नागर, अवार सचिव

New Delhi, the 17th July, 1996

S.O. 2326.—In exercise of the powers conferred by Section 3, Sub-Section (i) of the Emigration Act, 1983 (31 of 1983), the Central Government hereby appoints Shri L. H. Ruolngul Section Officer as Protector of Emigrants-II, Delhi with effect from 4th July, 1996 and until further orders.

[No. S-11011/1/96-Emig.]

V. D. NAGAR, Under Secy.

